

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 ARTICLE 1. SHORT TITLE; PURPOSE

5 Section 1-1. Short title. This Act may be cited as the
6 FY2011 Budget Implementation (Finance) Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make
8 changes in State programs that are necessary to implement the
9 Governor's Fiscal Year 2011 budget recommendations concerning
10 finance.

11 Section 1-10. Delegation of appropriations.

12 (a) Notwithstanding any other Act to the contrary, if and
13 only if House Bill 859 of the 96th General Assembly becomes
14 law, then the Office of the Governor is authorized to delegate,
15 through written notice to the Comptroller, all or a portion of
16 the appropriations included in Sections 10 and 15 of Article 41
17 of House Bill 859 to any State agency, board, or commission.
18 All amounts so delegated are limited to the purposes for which
19 those moneys were appropriated in those Sections and shall be
20 expended in accordance with all relevant laws, administrative
21 rules, and audit standards and obligations that would apply had

1 the amounts been appropriated directly to the agency, board, or
2 commission for that purpose.

3 (b) This Section is repealed on June 30, 2011.

4 ARTICLE 5. AMENDATORY PROVISIONS

5 Section 5-15. The Legislative Commission Reorganization
6 Act of 1984 is amended by changing Section 1-5 as follows:

7 (25 ILCS 130/1-5) (from Ch. 63, par. 1001-5)

8 Sec. 1-5. Composition of agencies; directors.

9 (a) (1) Each legislative support services agency listed in
10 Section 1-3 is hereafter in this Section referred to as the
11 Agency.

12 (2) (Blank).

13 (2.1) (Blank).

14 (2.5) The Board of the Office of the Architect of the
15 Capitol shall consist of the Secretary and Assistant Secretary
16 of the Senate and the Clerk and Assistant Clerk of the House of
17 Representatives. When the Board has cast a tied vote concerning
18 the design, implementation, or construction of a project within
19 the legislative complex, as defined in Section 8A-15, the
20 Architect of the Capitol may cast the tie-breaking vote.

21 (3) The other legislative support services agencies shall
22 each consist of 12 members of the General Assembly, of whom 3
23 shall be appointed by the President of the Senate, 3 shall be

1 appointed by the Minority Leader of the Senate, 3 shall be
2 appointed by the Speaker of the House of Representatives, and 3
3 shall be appointed by the Minority Leader of the House of
4 Representatives. All appointments shall be in writing and filed
5 with the Secretary of State as a public record.

6 Members shall serve a 2-year term, and must be appointed by
7 the Joint Committee during the month of January in each
8 odd-numbered year for terms beginning February 1. Any vacancy
9 in an Agency shall be filled by appointment for the balance of
10 the term in the same manner as the original appointment. A
11 vacancy shall exist when a member no longer holds the elected
12 legislative office held at the time of the appointment or at
13 the termination of the member's legislative service.

14 (b) (Blank).

15 (c) During the month of February of each odd-numbered year,
16 the Joint Committee on Legislative Support Services shall
17 select from the members of each agency, other than the Office
18 of the Architect of the Capitol, 2 co-chairmen and such other
19 officers as the Joint Committee deems necessary. The
20 co-chairmen of each Agency shall serve for a 2-year term,
21 beginning February 1 of the odd-numbered year, and the 2
22 co-chairmen shall not be members of or identified with the same
23 house or the same political party. The co-chairmen of the Board
24 of the Office of the Architect of the Capitol shall be the
25 Secretary of the Senate and the Clerk of the House of
26 Representatives, each ex officio.

1 Each Agency shall meet twice annually or more often upon
2 the call of the chair or any 9 members (or any 3 members in the
3 case of the Office of the Architect of the Capitol). A quorum
4 of the Agency shall consist of a majority of the appointed
5 members.

6 (d) Members of each Agency shall serve without
7 compensation, but shall be reimbursed for expenses incurred in
8 carrying out the duties of the Agency pursuant to rules and
9 regulations adopted by the Joint Committee on Legislative
10 Support Services.

11 (e) Beginning February 1, 1985, and every 2 years
12 thereafter, the Joint Committee shall select an Executive
13 Director who shall be the chief executive officer and staff
14 director of each Agency. The Executive Director shall receive a
15 salary as fixed by the Joint Committee and shall be authorized
16 to employ and fix the compensation of necessary professional,
17 technical and secretarial staff and prescribe their duties,
18 sign contracts, and issue vouchers for the payment of
19 obligations pursuant to rules and regulations adopted by the
20 Joint Committee on Legislative Support Services. The Executive
21 Director and other employees of the Agency shall not be subject
22 to the Personnel Code.

23 The executive director of the Office of the Architect of
24 the Capitol shall be known as the Architect of the Capitol.

25 (Source: P.A. 93-632, eff. 2-1-04.)

1 Section 5-20. The State Finance Act is amended by changing
2 Sections 6z-30, 6z-63, 6z-64, 6z-70, 8.3, 8.8, 8g, 8o, and 13.2
3 and by adding Sections 5.755 and 6p-8 as follows:

4 (30 ILCS 105/5.755 new)

5 Sec. 5.755. The Court of Claims Federal Recovery Victim
6 Compensation Grant Fund.

7 (30 ILCS 105/6p-8 new)

8 Sec. 6p-8. Court of Claims Federal Recovery Victim
9 Compensation Grant Fund. The Court of Claims Federal Recovery
10 Victim Compensation Grant Fund is created as a special fund in
11 the State treasury. The Fund shall consist of federal Victims
12 of Crime Act grant funds awarded to the Court of Claims from
13 the U.S. Department of Justice, Office of Justice Programs,
14 Office for Victims of Crime for the payment of claims pursuant
15 to the Crime Victims Compensation Act (740 ILCS 45/). All
16 moneys in the Fund shall be used for payment of claims pursuant
17 to the Crime Victims Compensation Act (740 ILCS 45/). The
18 General Assembly may appropriate moneys from the Court of
19 Claims Federal Recovery Victim Compensation Grant Fund to the
20 Court of Claims for the purpose of payment of claims pursuant
21 to the Crime Victims Compensation Act (740 ILCS 45/).

22 (30 ILCS 105/6z-30)

23 Sec. 6z-30. University of Illinois Hospital Services Fund.

1 (a) The University of Illinois Hospital Services Fund is
2 created as a special fund in the State Treasury. The following
3 moneys shall be deposited into the Fund:

4 (1) As soon as possible after the beginning of ~~each~~
5 ~~fiscal year (starting in fiscal year 2010)~~, and in no event
6 later than July 30, the State Comptroller and the State
7 Treasurer shall automatically transfer \$30,000,000 from
8 the General Revenue Fund to the University of Illinois
9 Hospital Services Fund.

10 (1.5) Starting in fiscal year 2011, as soon as possible
11 after the beginning of each fiscal year, and in no event
12 later than July 30, the State Comptroller and the State
13 Treasurer shall automatically transfer \$45,000,000 from
14 the General Revenue Fund to the University of Illinois
15 Hospital Services Fund.

16 (2) All intergovernmental transfer payments to the
17 Department of Healthcare and Family Services by the
18 University of Illinois made pursuant to an
19 intergovernmental agreement under subsection (b) or (c) of
20 Section 5A-3 of the Illinois Public Aid Code.

21 (3) All federal matching funds received by the
22 Department of Healthcare and Family Services (formerly
23 Illinois Department of Public Aid) as a result of
24 expenditures made by the Department that are attributable
25 to moneys that were deposited in the Fund.

26 (4) All other moneys received for the Fund from any

1 other source, including interest earned thereon.

2 (b) Moneys in the fund may be used by the Department of
3 Healthcare and Family Services, subject to appropriation and to
4 an interagency agreement between that Department and the Board
5 of Trustees of the University of Illinois, to reimburse the
6 University of Illinois Hospital for hospital and pharmacy
7 services, to reimburse practitioners who are employed by the
8 University of Illinois, to reimburse other health care
9 facilities operated by the University of Illinois, and to pass
10 through to the University of Illinois federal financial
11 participation earned by the State as a result of expenditures
12 made by the University of Illinois.

13 (c) (Blank).

14 (Source: P.A. 95-331, eff. 8-21-07; 95-744, eff. 7-18-08;
15 96-45, eff. 7-15-09.)

16 (30 ILCS 105/6z-63)

17 Sec. 6z-63. The Professional Services Fund.

18 (a) The Professional Services Fund is created as a
19 revolving fund in the State treasury. The following moneys
20 shall be deposited into the Fund:

21 (1) amounts authorized for transfer to the Fund from
22 the General Revenue Fund and other State funds (except for
23 funds classified by the Comptroller as federal trust funds
24 or State trust funds) pursuant to State law or Executive
25 Order;

1 (2) federal funds received by the Department of Central
2 Management Services (the "Department") as a result of
3 expenditures from the Fund;

4 (3) interest earned on moneys in the Fund; and

5 (4) receipts or inter-fund transfers resulting from
6 billings issued by the Department to State agencies for the
7 cost of professional services rendered by the Department
8 that are not compensated through the specific fund
9 transfers authorized by this Section.

10 (b) Moneys in the Fund may be used by the Department for
11 reimbursement or payment for:

12 (1) providing professional services to State agencies
13 or other State entities;

14 (2) rendering other services to State agencies at the
15 Governor's direction or to other State entities upon
16 agreement between the Director of Central Management
17 Services and the appropriate official or governing body of
18 the other State entity; or

19 (3) providing for payment of administrative and other
20 expenses incurred by the Department in providing
21 professional services.

22 (c) State agencies or other State entities may direct the
23 Comptroller to process inter-fund transfers or make payment
24 through the voucher and warrant process to the Professional
25 Services Fund in satisfaction of billings issued under
26 subsection (a) of this Section.

1 (d) Reconciliation. For the fiscal year beginning on July
 2 1, 2004 only, the Director of Central Management Services (the
 3 "Director") shall order that each State agency's payments and
 4 transfers made to the Fund be reconciled with actual Fund costs
 5 for professional services provided by the Department on no less
 6 than an annual basis. The Director may require reports from
 7 State agencies as deemed necessary to perform this
 8 reconciliation.

9 (e) The following amounts are authorized for transfer into
 10 the Professional Services Fund for the fiscal year beginning
 11 July 1, 2004:

12	General Revenue Fund	\$5,440,431
13	Road Fund	\$814,468
14	Motor Fuel Tax Fund	\$263,500
15	Child Support Administrative Fund	\$234,013
16	Professions Indirect Cost Fund	\$276,800
17	Capital Development Board Revolving Fund	\$207,610
18	Bank & Trust Company Fund	\$200,214
19	State Lottery Fund	\$193,691
20	Insurance Producer Administration Fund	\$174,672
21	Insurance Financial Regulation Fund	\$168,327
22	Illinois Clean Water Fund	\$124,675
23	Clean Air Act (CAA) Permit Fund	\$91,803
24	Statistical Services Revolving Fund	\$90,959
25	Financial Institution Fund	\$109,428
26	Horse Racing Fund	\$71,127

1	Health Insurance Reserve Fund	\$66,577
2	Solid Waste Management Fund	\$61,081
3	Guardianship and Advocacy Fund	\$1,068
4	Agricultural Premium Fund	\$493
5	Wildlife and Fish Fund	\$247
6	Radiation Protection Fund	\$33,277
7	Nuclear Safety Emergency Preparedness Fund	\$25,652
8	Tourism Promotion Fund	\$6,814

9 All of these transfers shall be made on July 1, 2004, or as
 10 soon thereafter as practical. These transfers shall be made
 11 notwithstanding any other provision of State law to the
 12 contrary.

13 (e-5) Notwithstanding any other provision of State law to
 14 the contrary, on or after July 1, 2005 and through June 30,
 15 2006, in addition to any other transfers that may be provided
 16 for by law, at the direction of and upon notification from the
 17 Director of Central Management Services, the State Comptroller
 18 shall direct and the State Treasurer shall transfer amounts
 19 into the Professional Services Fund from the designated funds
 20 not exceeding the following totals:

21	Food and Drug Safety Fund	\$3,249
22	Financial Institution Fund	\$12,942
23	General Professions Dedicated Fund	\$8,579
24	Illinois Department of Agriculture	
25	Laboratory Services Revolving Fund	\$1,963
26	Illinois Veterans' Rehabilitation Fund	\$11,275

1	State Boating Act Fund	\$27,000
2	State Parks Fund	\$22,007
3	Agricultural Premium Fund	\$59,483
4	Fire Prevention Fund	\$29,862
5	Mental Health Fund	\$78,213
6	Illinois State Pharmacy Disciplinary Fund	\$2,744
7	Radiation Protection Fund	\$16,034
8	Solid Waste Management Fund	\$37,669
9	Illinois Gaming Law Enforcement Fund	\$7,260
10	Subtitle D Management Fund	\$4,659
11	Illinois State Medical Disciplinary Fund	\$8,602
12	Department of Children and	
13	Family Services Training Fund	\$29,906
14	Facility Licensing Fund	\$1,083
15	Youth Alcoholism and Substance	
16	Abuse Prevention Fund	\$2,783
17	Plugging and Restoration Fund	\$1,105
18	State Crime Laboratory Fund	\$1,353
19	Motor Vehicle Theft Prevention Trust Fund	\$9,190
20	Weights and Measures Fund	\$4,932
21	Solid Waste Management Revolving	
22	Loan Fund	\$2,735
23	Illinois School Asbestos Abatement Fund	\$2,166
24	Violence Prevention Fund	\$5,176
25	Capital Development Board Revolving Fund	\$14,777
26	DCFS Children's Services Fund	\$1,256,594

1	State Police DUI Fund	\$1,434
2	Illinois Health Facilities Planning Fund	\$3,191
3	Emergency Public Health Fund	\$7,996
4	Fair and Exposition Fund	\$3,732
5	Nursing Dedicated and Professional Fund	\$5,792
6	Optometric Licensing and Disciplinary Board Fund ..	\$1,032
7	Underground Resources Conservation Enforcement Fund	\$1,221
8	State Rail Freight Loan Repayment Fund	\$6,434
9	Drunk and Drugged Driving Prevention Fund	\$5,473
10	Illinois Affordable Housing Trust Fund	\$118,222
11	Community Water Supply Laboratory Fund	\$10,021
12	Used Tire Management Fund	\$17,524
13	Natural Areas Acquisition Fund	\$15,501
14	Open Space Lands Acquisition	
15	and Development Fund	\$49,105
16	Working Capital Revolving Fund	\$126,344
17	State Garage Revolving Fund	\$92,513
18	Statistical Services Revolving Fund	\$181,949
19	Paper and Printing Revolving Fund	\$3,632
20	Air Transportation Revolving Fund	\$1,969
21	Communications Revolving Fund	\$304,278
22	Environmental Laboratory Certification Fund	\$1,357
23	Public Health Laboratory Services Revolving Fund ..	\$5,892
24	Provider Inquiry Trust Fund	\$1,742
25	Lead Poisoning Screening,	
26	Prevention, and Abatement Fund	\$8,200

1	Drug Treatment Fund	\$14,028
2	Feed Control Fund	\$2,472
3	Plumbing Licensure and Program Fund	\$3,521
4	Insurance Premium Tax Refund Fund	\$7,872
5	Tax Compliance and Administration Fund	\$5,416
6	Appraisal Administration Fund	\$2,924
7	Trauma Center Fund	\$40,139
8	Alternate Fuels Fund	\$1,467
9	Illinois State Fair Fund	\$13,844
10	State Asset Forfeiture Fund	\$8,210
11	Federal Asset Forfeiture Fund	\$6,471
12	Department of Corrections Reimbursement	
13	and Education Fund	\$78,965
14	Health Facility Plan Review Fund	\$3,444
15	LEADS Maintenance Fund	\$6,075
16	State Offender DNA Identification	
17	System Fund	\$1,712
18	Illinois Historic Sites Fund	\$4,511
19	Public Pension Regulation Fund	\$2,313
20	Workforce, Technology, and Economic	
21	Development Fund	\$5,357
22	Renewable Energy Resources Trust Fund	\$29,920
23	Energy Efficiency Trust Fund	\$8,368
24	Pesticide Control Fund	\$6,687
25	Conservation 2000 Fund	\$30,764
26	Wireless Carrier Reimbursement Fund	\$91,024

1	International Tourism Fund	\$13,057
2	Public Transportation Fund	\$701,837
3	Horse Racing Fund	\$18,589
4	Death Certificate Surcharge Fund	\$1,901
5	State Police Wireless Service	
6	Emergency Fund	\$1,012
7	Downstate Public Transportation Fund	\$112,085
8	Motor Carrier Safety Inspection Fund	\$6,543
9	State Police Whistleblower Reward	
10	and Protection Fund	\$1,894
11	Illinois Standardbred Breeders Fund	\$4,412
12	Illinois Thoroughbred Breeders Fund	\$6,635
13	Illinois Clean Water Fund	\$17,579
14	Independent Academic Medical Center Fund	\$5,611
15	Child Support Administrative Fund	\$432,527
16	Corporate Headquarters Relocation	
17	Assistance Fund	\$4,047
18	Local Initiative Fund	\$58,762
19	Tourism Promotion Fund	\$88,072
20	Digital Divide Elimination Fund	\$11,593
21	Presidential Library and Museum Operating Fund	\$4,624
22	Metro-East Public Transportation Fund	\$47,787
23	Medical Special Purposes Trust Fund	\$11,779
24	Dram Shop Fund	\$11,317
25	Illinois State Dental Disciplinary Fund	\$1,986
26	Hazardous Waste Research Fund	\$1,333

1	Real Estate License Administration Fund	\$10,886
2	Traffic and Criminal Conviction	
3	Surcharge Fund	\$44,798
4	Criminal Justice Information	
5	Systems Trust Fund	\$5,693
6	Design Professionals Administration	
7	and Investigation Fund	\$2,036
8	State Surplus Property Revolving Fund	\$6,829
9	Illinois Forestry Development Fund	\$7,012
10	State Police Services Fund	\$47,072
11	Youth Drug Abuse Prevention Fund	\$1,299
12	Metabolic Screening and Treatment Fund	\$15,947
13	Insurance Producer Administration Fund	\$30,870
14	Coal Technology Development Assistance Fund	\$43,692
15	Rail Freight Loan Repayment Fund	\$1,016
16	Low-Level Radioactive Waste	
17	Facility Development and Operation Fund	\$1,989
18	Environmental Protection Permit and Inspection Fund	\$32,125
19	Park and Conservation Fund	\$41,038
20	Local Tourism Fund	\$34,492
21	Illinois Capital Revolving Loan Fund	\$10,624
22	Illinois Equity Fund	\$1,929
23	Large Business Attraction Fund	\$5,554
24	Illinois Beach Marina Fund	\$5,053
25	International and Promotional Fund	\$1,466
26	Public Infrastructure Construction	

1	Loan Revolving Fund	\$3,111
2	Insurance Financial Regulation Fund	\$42,575
3	Total	\$4,975,487

4 (e-7) Notwithstanding any other provision of State law to
5 the contrary, on or after July 1, 2006 and through June 30,
6 2007, in addition to any other transfers that may be provided
7 for by law, at the direction of and upon notification from the
8 Director of Central Management Services, the State Comptroller
9 shall direct and the State Treasurer shall transfer amounts
10 into the Professional Services Fund from the designated funds
11 not exceeding the following totals:

12	Food and Drug Safety Fund	\$3,300
13	Financial Institution Fund	\$13,000
14	General Professions Dedicated Fund	\$8,600
15	Illinois Department of Agriculture	
16	Laboratory Services Revolving Fund	\$2,000
17	Illinois Veterans' Rehabilitation Fund	\$11,300
18	State Boating Act Fund	\$27,200
19	State Parks Fund	\$22,100
20	Agricultural Premium Fund	\$59,800
21	Fire Prevention Fund	\$30,000
22	Mental Health Fund	\$78,700
23	Illinois State Pharmacy Disciplinary Fund	\$2,800
24	Radiation Protection Fund	\$16,100
25	Solid Waste Management Fund	\$37,900
26	Illinois Gaming Law Enforcement Fund	\$7,300

1	Subtitle D Management Fund	\$4,700
2	Illinois State Medical Disciplinary Fund	\$8,700
3	Facility Licensing Fund	\$1,100
4	Youth Alcoholism and	
5	Substance Abuse Prevention Fund	\$2,800
6	Plugging and Restoration Fund	\$1,100
7	State Crime Laboratory Fund	\$1,400
8	Motor Vehicle Theft Prevention Trust Fund	\$9,200
9	Weights and Measures Fund	\$5,000
10	Illinois School Asbestos Abatement Fund	\$2,200
11	Violence Prevention Fund	\$5,200
12	Capital Development Board Revolving Fund	\$14,900
13	DCFS Children's Services Fund	\$1,294,000
14	State Police DUI Fund	\$1,400
15	Illinois Health Facilities Planning Fund	\$3,200
16	Emergency Public Health Fund	\$8,000
17	Fair and Exposition Fund	\$3,800
18	Nursing Dedicated and Professional Fund	\$5,800
19	Optometric Licensing and Disciplinary Board Fund ..	\$1,000
20	Underground Resources Conservation	
21	Enforcement Fund	\$1,200
22	State Rail Freight Loan Repayment Fund	\$6,500
23	Drunk and Drugged Driving Prevention Fund	\$5,500
24	Illinois Affordable Housing Trust Fund	\$118,900
25	Community Water Supply Laboratory Fund	\$10,100
26	Used Tire Management Fund	\$17,600

1	Natural Areas Acquisition Fund	\$15,600
2	Open Space Lands Acquisition	
3	and Development Fund	\$49,400
4	Working Capital Revolving Fund	\$127,100
5	State Garage Revolving Fund	\$93,100
6	Statistical Services Revolving Fund	\$183,000
7	Paper and Printing Revolving Fund	\$3,700
8	Air Transportation Revolving Fund	\$2,000
9	Communications Revolving Fund	\$306,100
10	Environmental Laboratory Certification Fund	\$1,400
11	Public Health Laboratory Services	
12	Revolving Fund	\$5,900
13	Provider Inquiry Trust Fund	\$1,800
14	Lead Poisoning Screening, Prevention,	
15	and Abatement Fund	\$8,200
16	Drug Treatment Fund	\$14,100
17	Feed Control Fund	\$2,500
18	Plumbing Licensure and Program Fund	\$3,500
19	Insurance Premium Tax Refund Fund	\$7,900
20	Tax Compliance and Administration Fund	\$5,400
21	Appraisal Administration Fund	\$2,900
22	Trauma Center Fund	\$40,400
23	Alternate Fuels Fund	\$1,500
24	Illinois State Fair Fund	\$13,900
25	State Asset Forfeiture Fund	\$8,300
26	Department of Corrections	

1	Reimbursement and Education Fund	\$79,400
2	Health Facility Plan Review Fund	\$3,500
3	LEADS Maintenance Fund	\$6,100
4	State Offender DNA Identification System Fund	\$1,700
5	Illinois Historic Sites Fund	\$4,500
6	Public Pension Regulation Fund	\$2,300
7	Workforce, Technology, and Economic	
8	Development Fund	\$5,400
9	Renewable Energy Resources Trust Fund	\$30,100
10	Energy Efficiency Trust Fund	\$8,400
11	Pesticide Control Fund	\$6,700
12	Conservation 2000 Fund	\$30,900
13	Wireless Carrier Reimbursement Fund	\$91,600
14	International Tourism Fund	\$13,100
15	Public Transportation Fund	\$705,900
16	Horse Racing Fund	\$18,700
17	Death Certificate Surcharge Fund	\$1,900
18	State Police Wireless Service Emergency Fund	\$1,000
19	Downstate Public Transportation Fund	\$112,700
20	Motor Carrier Safety Inspection Fund	\$6,600
21	State Police Whistleblower	
22	Reward and Protection Fund	\$1,900
23	Illinois Standardbred Breeders Fund	\$4,400
24	Illinois Thoroughbred Breeders Fund	\$6,700
25	Illinois Clean Water Fund	\$17,700
26	Child Support Administrative Fund	\$435,100

1	Tourism Promotion Fund	\$88,600
2	Digital Divide Elimination Fund	\$11,700
3	Presidential Library and Museum Operating Fund	\$4,700
4	Metro-East Public Transportation Fund	\$48,100
5	Medical Special Purposes Trust Fund	\$11,800
6	Dram Shop Fund	\$11,400
7	Illinois State Dental Disciplinary Fund	\$2,000
8	Hazardous Waste Research Fund	\$1,300
9	Real Estate License Administration Fund	\$10,900
10	Traffic and Criminal Conviction Surcharge Fund ..	\$45,100
11	Criminal Justice Information Systems Trust Fund	\$5,700
12	Design Professionals Administration	
13	and Investigation Fund	\$2,000
14	State Surplus Property Revolving Fund	\$6,900
15	State Police Services Fund	\$47,300
16	Youth Drug Abuse Prevention Fund	\$1,300
17	Metabolic Screening and Treatment Fund	\$16,000
18	Insurance Producer Administration Fund	\$31,100
19	Coal Technology Development Assistance Fund	\$43,900
20	Low-Level Radioactive Waste Facility	
21	Development and Operation Fund	\$2,000
22	Environmental Protection Permit	
23	and Inspection Fund	\$32,300
24	Park and Conservation Fund	\$41,300
25	Local Tourism Fund	\$34,700
26	Illinois Capital Revolving Loan Fund	\$10,700

1	Illinois Equity Fund	\$1,900
2	Large Business Attraction Fund	\$5,600
3	Illinois Beach Marina Fund	\$5,100
4	International and Promotional Fund	\$1,500
5	Public Infrastructure Construction	
6	Loan Revolving Fund	\$3,100
7	Insurance Financial Regulation Fund	\$42,800
8	Total	\$4,918,200

9 (e-10) Notwithstanding any other provision of State law to
10 the contrary and in addition to any other transfers that may be
11 provided for by law, on the first day of each calendar quarter
12 of the fiscal year beginning July 1, 2005, or as soon as may be
13 practical thereafter, the State Comptroller shall direct and
14 the State Treasurer shall transfer from each designated fund
15 into the Professional Services Fund amounts equal to one-fourth
16 of each of the following totals:

17	General Revenue Fund	\$4,440,000
18	Road Fund	\$5,324,411
19	Total	\$9,764,411

20 (e-15) Notwithstanding any other provision of State law to
21 the contrary and in addition to any other transfers that may be
22 provided for by law, the State Comptroller shall direct and the
23 State Treasurer shall transfer from the funds specified into
24 the Professional Services Fund according to the schedule
25 specified herein as follows:

26	General Revenue Fund	\$4,466,000
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1 Road Fund \$5,355,500
 2 Total \$9,821,500

3 One-fourth of the specified amount shall be transferred on
 4 each of July 1 and October 1, 2006, or as soon as may be
 5 practical thereafter, and one-half of the specified amount
 6 shall be transferred on January 1, 2007, or as soon as may be
 7 practical thereafter.

8 (e-20) Notwithstanding any other provision of State law to
 9 the contrary, on or after July 1, 2010 and through June 30,
 10 2011, in addition to any other transfers that may be provided
 11 for by law, at the direction of and upon notification from the
 12 Director of Central Management Services, the State Comptroller
 13 shall direct and the State Treasurer shall transfer amounts
 14 into the Professional Services Fund from the designated funds
 15 not exceeding the following totals:

16	<u>Grade Crossing Protection Fund</u>	<u>\$55,300</u>
17	<u>Financial Institution Fund</u>	<u>\$10,000</u>
18	<u>General Professions Dedicated Fund</u>	<u>\$11,600</u>
19	<u>Illinois Veterans' Rehabilitation Fund</u>	<u>\$10,800</u>
20	<u>State Boating Act Fund</u>	<u>\$23,500</u>
21	<u>State Parks Fund</u>	<u>\$21,200</u>
22	<u>Agricultural Premium Fund</u>	<u>\$55,400</u>
23	<u>Fire Prevention Fund</u>	<u>\$46,100</u>
24	<u>Mental Health Fund</u>	<u>\$45,200</u>
25	<u>Illinois State Pharmacy Disciplinary Fund</u>	<u>\$300</u>
26	<u>Radiation Protection Fund</u>	<u>\$12,900</u>

1	<u>Solid Waste Management Fund</u>	<u>\$48,100</u>
2	<u>Illinois Gaming Law Enforcement Fund</u>	<u>\$2,900</u>
3	<u>Subtitle D Management Fund</u>	<u>\$6,300</u>
4	<u>Illinois State Medical Disciplinary Fund</u>	<u>\$9,200</u>
5	<u>Weights and Measures Fund</u>	<u>\$6,700</u>
6	<u>Violence Prevention Fund</u>	<u>\$4,000</u>
7	<u>Capital Development Board Revolving Fund</u>	<u>\$7,900</u>
8	<u>DCFS Children's Services Fund</u>	<u>\$804,800</u>
9	<u>Illinois Health Facilities Planning Fund</u>	<u>\$4,000</u>
10	<u>Emergency Public Health Fund</u>	<u>\$7,600</u>
11	<u>Nursing Dedicated and Professional Fund</u>	<u>\$5,600</u>
12	<u>State Rail Freight Loan Repayment Fund</u>	<u>\$1,700</u>
13	<u>Drunk and Drugged Driving Prevention Fund</u>	<u>\$4,600</u>
14	<u>Community Water Supply Laboratory Fund</u>	<u>\$3,100</u>
15	<u>Used Tire Management Fund</u>	<u>\$15,200</u>
16	<u>Natural Areas Acquisition Fund</u>	<u>\$33,400</u>
17	<u>Open Space Lands Acquisition</u>	
18	<u>and Development Fund</u>	<u>\$62,100</u>
19	<u>Working Capital Revolving Fund</u>	<u>\$91,700</u>
20	<u>State Garage Revolving Fund</u>	<u>\$89,600</u>
21	<u>Statistical Services Revolving Fund</u>	<u>\$277,700</u>
22	<u>Communications Revolving Fund</u>	<u>\$248,100</u>
23	<u>Facilities Management Revolving Fund</u>	<u>\$472,600</u>
24	<u>Public Health Laboratory Services</u>	
25	<u>Revolving Fund</u>	<u>\$5,900</u>
26	<u>Lead Poisoning Screening, Prevention,</u>	

1	<u>and Abatement Fund</u>	<u>\$7,900</u>
2	<u>Drug Treatment Fund</u>	<u>\$8,700</u>
3	<u>Tax Compliance and Administration Fund</u>	<u>\$8,300</u>
4	<u>Trauma Center Fund</u>	<u>\$34,800</u>
5	<u>Illinois State Fair Fund</u>	<u>\$12,700</u>
6	<u>Department of Corrections</u>	
7	<u>Reimbursement and Education Fund</u>	<u>\$77,600</u>
8	<u>Illinois Historic Sites Fund</u>	<u>\$4,200</u>
9	<u>Pesticide Control Fund</u>	<u>\$7,000</u>
10	<u>Partners for Conservation Fund</u>	<u>\$25,000</u>
11	<u>International Tourism Fund</u>	<u>\$14,100</u>
12	<u>Horse Racing Fund</u>	<u>\$14,800</u>
13	<u>Motor Carrier Safety Inspection Fund</u>	<u>\$4,500</u>
14	<u>Illinois Standardbred Breeders Fund</u>	<u>\$3,400</u>
15	<u>Illinois Thoroughbred Breeders Fund</u>	<u>\$5,200</u>
16	<u>Illinois Clean Water Fund</u>	<u>\$19,400</u>
17	<u>Child Support Administrative Fund</u>	<u>\$398,000</u>
18	<u>Tourism Promotion Fund</u>	<u>\$75,300</u>
19	<u>Digital Divide Elimination Fund</u>	<u>\$11,800</u>
20	<u>Presidential Library and Museum Operating Fund</u> ..	<u>\$25,900</u>
21	<u>Medical Special Purposes Trust Fund</u>	<u>\$10,800</u>
22	<u>Dram Shop Fund</u>	<u>\$12,700</u>
23	<u>Cycle Rider Safety Training Fund</u>	<u>\$7,100</u>
24	<u>State Police Services Fund</u>	<u>\$43,600</u>
25	<u>Metabolic Screening and Treatment Fund</u>	<u>\$23,900</u>
26	<u>Insurance Producer Administration Fund</u>	<u>\$16,800</u>

1	<u>Coal Technology Development Assistance Fund</u>	<u>\$43,700</u>
2	<u>Environmental Protection Permit</u>	
3	<u>and Inspection Fund</u>	<u>\$21,600</u>
4	<u>Park and Conservation Fund</u>	<u>\$38,100</u>
5	<u>Local Tourism Fund</u>	<u>\$31,800</u>
6	<u>Illinois Capital Revolving Loan Fund</u>	<u>\$5,800</u>
7	<u>Large Business Attraction Fund</u>	<u>\$300</u>
8	<u>Adeline Jay Geo-Karis Illinois</u>	
9	<u>Beach Marina Fund</u>	<u>\$5,000</u>
10	<u>Insurance Financial Regulation Fund</u>	<u>\$23,000</u>
11	<u>Total</u>	<u>\$3,547,900</u>

12 (e-25) Notwithstanding any other provision of State law to
13 the contrary and in addition to any other transfers that may be
14 provided for by law, the State Comptroller shall direct and the
15 State Treasurer shall transfer from the funds specified into
16 the Professional Services Fund according to the schedule
17 specified as follows:

18	<u>General Revenue Fund</u>	<u>\$4,600,000</u>
19	<u>Road Fund</u>	<u>\$4,852,500</u>
20	<u>Total</u>	<u>\$9,452,500</u>

21 One fourth of the specified amount shall be transferred on
22 each of July 1 and October 1, 2010, or as soon as may be
23 practical thereafter, and one half of the specified amount
24 shall be transferred on January 1, 2011, or as soon as may be
25 practical thereafter.

26 (f) The term "professional services" means services

1 rendered on behalf of State agencies and other State entities
2 pursuant to Section 405-293 of the Department of Central
3 Management Services Law of the Civil Administrative Code of
4 Illinois.

5 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05; 94-839,
6 eff. 6-6-06.)

7 (30 ILCS 105/6z-64)

8 Sec. 6z-64. The Workers' Compensation Revolving Fund.

9 (a) The Workers' Compensation Revolving Fund is created as
10 a revolving fund, not subject to fiscal year limitations, in
11 the State treasury. The following moneys shall be deposited
12 into the Fund:

13 (1) amounts authorized for transfer to the Fund from
14 the General Revenue Fund and other State funds (except for
15 funds classified by the Comptroller as federal trust funds
16 or State trust funds) pursuant to State law or Executive
17 Order;

18 (2) federal funds received by the Department of Central
19 Management Services (the "Department") as a result of
20 expenditures from the Fund;

21 (3) interest earned on moneys in the Fund;

22 (4) receipts or inter-fund transfers resulting from
23 billings issued by the Department to State agencies and
24 universities for the cost of workers' compensation
25 services rendered by the Department that are not

1 compensated through the specific fund transfers authorized
2 by this Section, if any;

3 (5) amounts received from a State agency or university
4 for workers' compensation payments for temporary total
5 disability, as provided in Section 405-105 of the
6 Department of Central Management Services Law of the Civil
7 Administrative Code of Illinois; and

8 (6) amounts recovered through subrogation in workers'
9 compensation and workers' occupational disease cases.

10 (b) Moneys in the Fund may be used by the Department for
11 reimbursement or payment for:

12 (1) providing workers' compensation services to State
13 agencies and State universities; or

14 (2) providing for payment of administrative and other
15 expenses incurred by the Department in providing workers'
16 compensation services.

17 (c) State agencies may direct the Comptroller to process
18 inter-fund transfers or make payment through the voucher and
19 warrant process to the Workers' Compensation Revolving Fund in
20 satisfaction of billings issued under subsection (a) of this
21 Section.

22 (d) Reconciliation. For the fiscal year beginning on July
23 1, 2004 only, the Director of Central Management Services (the
24 "Director") shall order that each State agency's payments and
25 transfers made to the Fund be reconciled with actual Fund costs
26 for workers' compensation services provided by the Department

1 and attributable to the State agency and relevant fund on no
 2 less than an annual basis. The Director may require reports
 3 from State agencies as deemed necessary to perform this
 4 reconciliation.

5 (d-5) Notwithstanding any other provision of State law to
 6 the contrary, on or after July 1, 2005 and until June 30, 2006,
 7 in addition to any other transfers that may be provided for by
 8 law, at the direction of and upon notification of the Director
 9 of Central Management Services, the State Comptroller shall
 10 direct and the State Treasurer shall transfer amounts into the
 11 Workers' Compensation Revolving Fund from the designated funds
 12 not exceeding the following totals:

13	Mental Health Fund	\$17,694,000
14	Statistical Services Revolving Fund	\$1,252,600
15	Department of Corrections Reimbursement	
16	and Education Fund	\$1,198,600
17	Communications Revolving Fund	\$535,400
18	Child Support Administrative Fund	\$441,900
19	Health Insurance Reserve Fund	\$238,900
20	Fire Prevention Fund	\$234,100
21	Park and Conservation Fund	\$142,000
22	Motor Fuel Tax Fund	\$132,800
23	Illinois Workers' Compensation	
24	Commission Operations Fund	\$123,900
25	State Boating Act Fund	\$112,300
26	Public Utility Fund	\$106,500

1	State Lottery Fund	\$101,300
2	Traffic and Criminal Conviction	
3	Surcharge Fund	\$88,500
4	State Surplus Property Revolving Fund	\$82,700
5	Natural Areas Acquisition Fund	\$65,600
6	Securities Audit and Enforcement Fund	\$65,200
7	Agricultural Premium Fund	\$63,400
8	Capital Development Fund	\$57,500
9	State Gaming Fund	\$54,300
10	Underground Storage Tank Fund	\$53,700
11	Illinois State Medical Disciplinary Fund	\$53,000
12	Personal Property Tax Replacement Fund	\$53,000
13	General Professions Dedicated Fund	\$51,900
14	Total	\$23,003,100

15 (d-10) Notwithstanding any other provision of State law to
16 the contrary and in addition to any other transfers that may be
17 provided for by law, on the first day of each calendar quarter
18 of the fiscal year beginning July 1, 2005, or as soon as may be
19 practical thereafter, the State Comptroller shall direct and
20 the State Treasurer shall transfer from each designated fund
21 into the Workers' Compensation Revolving Fund amounts equal to
22 one-fourth of each of the following totals:

23	General Revenue Fund	\$34,000,000
24	Road Fund	\$25,987,000
25	Total	\$59,987,000

26 (d-12) Notwithstanding any other provision of State law to

1 the contrary and in addition to any other transfers that may be
 2 provided for by law, on the effective date of this amendatory
 3 Act of the 94th General Assembly, or as soon as may be
 4 practical thereafter, the State Comptroller shall direct and
 5 the State Treasurer shall transfer from each designated fund
 6 into the Workers' Compensation Revolving Fund the following
 7 amounts:

8	General Revenue Fund	\$10,000,000
9	Road Fund	\$5,000,000
10	Total	\$15,000,000

11 (d-15) Notwithstanding any other provision of State law to
 12 the contrary and in addition to any other transfers that may be
 13 provided for by law, on July 1, 2006, or as soon as may be
 14 practical thereafter, the State Comptroller shall direct and
 15 the State Treasurer shall transfer from each designated fund
 16 into the Workers' Compensation Revolving Fund the following
 17 amounts:

18	General Revenue Fund	\$44,028,200
19	Road Fund	\$28,084,000
20	Total	\$72,112,200

21 (d-20) Notwithstanding any other provision of State law to
 22 the contrary, on or after July 1, 2006 and until June 30, 2007,
 23 in addition to any other transfers that may be provided for by
 24 law, at the direction of and upon notification of the Director
 25 of Central Management Services, the State Comptroller shall
 26 direct and the State Treasurer shall transfer amounts into the

1 Workers' Compensation Revolving Fund from the designated funds
2 not exceeding the following totals:

3	Mental Health Fund	\$19,121,800
4	Statistical Services Revolving Fund	\$1,353,700
5	Department of Corrections Reimbursement	
6	and Education Fund	\$1,295,300
7	Communications Revolving Fund	\$578,600
8	Child Support Administrative Fund	\$477,600
9	Health Insurance Reserve Fund	\$258,200
10	Fire Prevention Fund	\$253,000
11	Park and Conservation Fund	\$153,500
12	Motor Fuel Tax Fund	\$143,500
13	Illinois Workers' Compensation	
14	Commission Operations Fund	\$133,900
15	State Boating Act Fund	\$121,400
16	Public Utility Fund	\$115,100
17	State Lottery Fund	\$109,500
18	Traffic and Criminal Conviction Surcharge Fund ..	\$95,700
19	State Surplus Property Revolving Fund	\$89,400
20	Natural Areas Acquisition Fund	\$70,800
21	Securities Audit and Enforcement Fund	\$70,400
22	Agricultural Premium Fund	\$68,500
23	State Gaming Fund	\$58,600
24	Underground Storage Tank Fund	\$58,000
25	Illinois State Medical Disciplinary Fund	\$57,200
26	Personal Property Tax Replacement Fund	\$57,200

1	General Professions Dedicated Fund	\$56,100
2	Total	\$24,797,000

3 (d-25) Notwithstanding any other provision of State law to
4 the contrary and in addition to any other transfers that may be
5 provided for by law, on July 1, 2009, or as soon as may be
6 practical thereafter, the State Comptroller shall direct and
7 the State Treasurer shall transfer from each designated fund
8 into the Workers' Compensation Revolving Fund the following
9 amounts:

10	General Revenue Fund	\$55,000,000
11	Road Fund	\$34,803,000
12	Total	\$89,803,000

13 (d-30) Notwithstanding any other provision of State law to
14 the contrary, on or after July 1, 2009 and until June 30, 2010,
15 in addition to any other transfers that may be provided for by
16 law, at the direction of and upon notification of the Director
17 of Central Management Services, the State Comptroller shall
18 direct and the State Treasurer shall transfer amounts into the
19 Workers' Compensation Revolving Fund from the designated funds
20 not exceeding the following totals:

21	Food and Drug Safety Fund	\$13,900
22	Teacher Certificate Fee Revolving Fund	\$6,500
23	Transportation Regulatory Fund	\$14,500
24	Financial Institution Fund	\$25,200
25	General Professions Dedicated Fund	\$25,300
26	Illinois Veterans' Rehabilitation Fund	\$64,600

1	State Boating Act Fund	\$177,100
2	State Parks Fund	\$104,300
3	Lobbyist Registration Administration Fund	\$14,400
4	Agricultural Premium Fund	\$79,100
5	Fire Prevention Fund	\$360,200
6	Mental Health Fund	\$9,725,200
7	Illinois State Pharmacy Disciplinary Fund	\$5,600
8	Public Utility Fund	\$40,900
9	Radiation Protection Fund	\$14,200
10	Firearm Owner's Notification Fund	\$1,300
11	Solid Waste Management Fund	\$74,100
12	Illinois Gaming Law Enforcement Fund	\$17,800
13	Subtitle D Management Fund	\$14,100
14	Illinois State Medical Disciplinary Fund	\$26,500
15	Facility Licensing Fund	\$11,700
16	Plugging and Restoration Fund	\$9,100
17	Explosives Regulatory Fund	\$2,300
18	Aggregate Operations Regulatory Fund	\$5,000
19	Coal Mining Regulatory Fund	\$1,900
20	Registered Certified Public Accountants'	
21	Administration and Disciplinary Fund	\$1,500
22	Weights and Measures Fund	\$56,100
23	Division of Corporations Registered	
24	Limited Liability Partnership Fund	\$3,900
25	Illinois School Asbestos Abatement Fund	\$14,000
26	Secretary of State Special License Plate Fund	\$30,700

1	Capital Development Board Revolving Fund	\$27,000
2	DCFS Children's Services Fund	\$69,300
3	Asbestos Abatement Fund	\$17,200
4	Illinois Health Facilities Planning Fund	\$26,800
5	Emergency Public Health Fund	\$5,600
6	Nursing Dedicated and Professional Fund	\$10,000
7	Optometric Licensing and Disciplinary	
8	Board Fund	\$1,600
9	Underground Resources Conservation	
10	Enforcement Fund	\$11,500
11	Drunk and Drugged Driving Prevention Fund	\$18,200
12	Long Term Care Monitor/Receiver Fund	\$35,400
13	Community Water Supply Laboratory Fund	\$5,600
14	Securities Investors Education Fund	\$2,000
15	Used Tire Management Fund	\$32,400
16	Natural Areas Acquisition Fund	\$101,200
17	Open Space Lands Acquisition	
18	and Development Fund	\$28,400
19	Working Capital Revolving Fund	\$489,100
20	State Garage Revolving Fund	\$791,900
21	Statistical Services Revolving Fund	\$3,984,700
22	Communications Revolving Fund	\$1,432,800
23	Facilities Management Revolving Fund	\$1,911,600
24	Professional Services Fund	\$483,600
25	Motor Vehicle Review Board Fund	\$15,000
26	Environmental Laboratory Certification Fund	\$3,000

1	Public Health Laboratory Services	
2	Revolving Fund	\$2,500
3	Lead Poisoning Screening, Prevention,	
4	and Abatement Fund	\$28,200
5	Securities Audit and Enforcement Fund	\$258,400
6	Department of Business Services	
7	Special Operations Fund	\$111,900
8	Feed Control Fund	\$20,800
9	Tanning Facility Permit Fund	\$5,400
10	Plumbing Licensure and Program Fund	\$24,400
11	Tax Compliance and Administration Fund	\$27,200
12	Appraisal Administration Fund	\$2,400
13	Small Business Environmental Assistance Fund	\$2,200
14	Illinois State Fair Fund	\$31,400
15	Secretary of State Special Services Fund	\$317,600
16	Department of Corrections Reimbursement	
17	and Education Fund	\$324,500
18	Health Facility Plan Review Fund	\$31,200
19	Illinois Historic Sites Fund	\$11,500
20	Attorney General Court Ordered and Voluntary	
21	Compliance Payment Projects Fund	\$18,500
22	Public Pension Regulation Fund	\$5,600
23	Illinois Charity Bureau Fund	\$11,400
24	Renewable Energy Resources Trust Fund	\$6,700
25	Energy Efficiency Trust Fund	\$3,600
26	Pesticide Control Fund	\$56,800

1	Attorney General Whistleblower Reward	
2	and Protection Fund	\$14,200
3	Partners for Conservation Fund	\$36,900
4	Capital Litigation Trust Fund	\$800
5	Motor Vehicle License Plate Fund	\$99,700
6	Horse Racing Fund	\$18,900
7	Death Certificate Surcharge Fund	\$12,800
8	Auction Regulation Administration Fund	\$500
9	Motor Carrier Safety Inspection Fund	\$55,800
10	Assisted Living and Shared Housing	
11	Regulatory Fund	\$900
12	Illinois Thoroughbred Breeders Fund	\$9,200
13	Illinois Clean Water Fund	\$42,300
14	Secretary of State DUI Administration Fund	\$16,100
15	Child Support Administrative Fund	\$1,037,900
16	Secretary of State Police Services Fund	\$1,200
17	Tourism Promotion Fund	\$34,400
18	IMSA Income Fund	\$12,700
19	Presidential Library and Museum Operating Fund ..	\$83,000
20	Dram Shop Fund	\$44,500
21	Illinois State Dental Disciplinary Fund	\$5,700
22	Cycle Rider Safety Training Fund	\$8,700
23	Traffic and Criminal Conviction Surcharge Fund ..	\$106,100
24	Design Professionals Administration	
25	and Investigation Fund	\$4,500
26	State Police Services Fund	\$276,100

1	Metabolic Screening and Treatment Fund	\$90,800
2	Insurance Producer Administration Fund	\$45,600
3	Coal Technology Development Assistance Fund	\$11,700
4	Hearing Instrument Dispenser Examining	
5	and Disciplinary Fund	\$1,900
6	Low-Level Radioactive Waste Facility	
7	Development and Operation Fund	\$1,000
8	Environmental Protection Permit and	
9	Inspection Fund	\$66,900
10	Park and Conservation Fund	\$199,300
11	Local Tourism Fund	\$2,400
12	Illinois Capital Revolving Loan Fund	\$10,000
13	Large Business Attraction Fund	\$100
14	Adeline Jay Geo-Karis Illinois Beach	
15	Marina Fund	\$27,200
16	Public Infrastructure Construction	
17	Loan Revolving Fund	\$1,700
18	Insurance Financial Regulation Fund	\$69,200
19	Total	\$24,197,800

20 (d-35) Notwithstanding any other provision of State law to
 21 the contrary and in addition to any other transfers that may be
 22 provided for by law, on July 1, 2010, or as soon as may be
 23 practical thereafter, the State Comptroller shall direct and
 24 the State Treasurer shall transfer from each designated fund
 25 into the Workers' Compensation Revolving Fund the following
 26 amounts:

1	<u>General Revenue Fund</u>	<u>\$55,000,000</u>
2	<u>Road Fund</u>	<u>\$50,955,300</u>
3	<u>Total</u>	<u>\$105,955,300</u>

4 (d-40) Notwithstanding any other provision of State law to
5 the contrary, on or after July 1, 2010 and until June 30, 2011,
6 in addition to any other transfers that may be provided for by
7 law, at the direction of and upon notification of the Director
8 of Central Management Services, the State Comptroller shall
9 direct and the State Treasurer shall transfer amounts into the
10 Workers' Compensation Revolving Fund from the designated funds
11 not exceeding the following totals:

12	<u>Food and Drug Safety Fund</u>	<u>\$8,700</u>
13	<u>Financial Institution Fund</u>	<u>\$44,500</u>
14	<u>General Professions Dedicated Fund</u>	<u>\$51,400</u>
15	<u>Live and Learn Fund</u>	<u>\$10,900</u>
16	<u>Illinois Veterans' Rehabilitation Fund</u>	<u>\$106,000</u>
17	<u>State Boating Act Fund</u>	<u>\$288,200</u>
18	<u>State Parks Fund</u>	<u>\$185,900</u>
19	<u>Wildlife and Fish Fund</u>	<u>\$1,550,300</u>
20	<u>Lobbyist Registration Administration Fund</u>	<u>\$18,100</u>
21	<u>Agricultural Premium Fund</u>	<u>\$176,100</u>
22	<u>Mental Health Fund</u>	<u>\$291,900</u>
23	<u>Firearm Owner's Notification Fund</u>	<u>\$2,300</u>
24	<u>Illinois Gaming Law Enforcement Fund</u>	<u>\$11,300</u>
25	<u>Illinois State Medical Disciplinary Fund</u>	<u>\$42,300</u>
26	<u>Facility Licensing Fund</u>	<u>\$14,200</u>

1	<u>Plugging and Restoration Fund</u>	<u>\$15,600</u>
2	<u>Explosives Regulatory Fund</u>	<u>\$4,800</u>
3	<u>Aggregate Operations Regulatory Fund</u>	<u>\$6,000</u>
4	<u>Coal Mining Regulatory Fund</u>	<u>\$7,200</u>
5	<u>Registered Certified Public Accountants'</u>	
6	<u>Administration and Disciplinary Fund</u>	<u>\$1,900</u>
7	<u>Weights and Measures Fund</u>	<u>\$105,200</u>
8	<u>Division of Corporations Registered</u>	
9	<u>Limited Liability Partnership Fund</u>	<u>\$5,300</u>
10	<u>Illinois School Asbestos Abatement Fund</u>	<u>\$19,900</u>
11	<u>Secretary of State Special License Plate Fund</u>	<u>\$38,700</u>
12	<u>DCFS Children's Services Fund</u>	<u>\$123,100</u>
13	<u>Illinois Health Facilities Planning Fund</u>	<u>\$29,700</u>
14	<u>Emergency Public Health Fund</u>	<u>\$6,800</u>
15	<u>Nursing Dedicated and Professional Fund</u>	<u>\$13,500</u>
16	<u>Optometric Licensing and Disciplinary</u>	
17	<u>Board Fund</u>	<u>\$1,800</u>
18	<u>Underground Resources Conservation</u>	
19	<u>Enforcement Fund</u>	<u>\$16,500</u>
20	<u>Mandatory Arbitration Fund</u>	<u>\$5,400</u>
21	<u>Drunk and Drugged Driving Prevention Fund</u>	<u>\$26,400</u>
22	<u>Long Term Care Monitor/Receiver Fund</u>	<u>\$43,800</u>
23	<u>Securities Investors Education Fund</u>	<u>\$28,500</u>
24	<u>Used Tire Management Fund</u>	<u>\$6,300</u>
25	<u>Natural Areas Acquisition Fund</u>	<u>\$185,000</u>
26	<u>Open Space Lands Acquisition and</u>	

1	<u>Development Fund</u>	<u>\$46,800</u>
2	<u>Working Capital Revolving Fund</u>	<u>\$741,500</u>
3	<u>State Garage Revolving Fund</u>	<u>\$356,200</u>
4	<u>Statistical Services Revolving Fund</u>	<u>\$1,775,900</u>
5	<u>Communications Revolving Fund</u>	<u>\$630,600</u>
6	<u>Facilities Management Revolving Fund</u>	<u>\$870,800</u>
7	<u>Professional Services Fund</u>	<u>\$275,500</u>
8	<u>Motor Vehicle Review Board Fund</u>	<u>\$12,900</u>
9	<u>Public Health Laboratory Services</u>	
10	<u>Revolving Fund</u>	<u>\$5,300</u>
11	<u>Lead Poisoning Screening, Prevention,</u>	
12	<u>and Abatement Fund</u>	<u>\$42,100</u>
13	<u>Securities Audit and Enforcement Fund</u>	<u>\$162,700</u>
14	<u>Department of Business Services</u>	
15	<u>Special Operations Fund</u>	<u>\$143,700</u>
16	<u>Feed Control Fund</u>	<u>\$32,300</u>
17	<u>Tanning Facility Permit Fund</u>	<u>\$3,900</u>
18	<u>Plumbing Licensure and Program Fund</u>	<u>\$32,600</u>
19	<u>Tax Compliance and Administration Fund</u>	<u>\$48,400</u>
20	<u>Appraisal Administration Fund</u>	<u>\$3,600</u>
21	<u>Illinois State Fair Fund</u>	<u>\$30,200</u>
22	<u>Secretary of State Special Services Fund</u>	<u>\$214,400</u>
23	<u>Department of Corrections Reimbursement</u>	
24	<u>and Education Fund</u>	<u>\$438,300</u>
25	<u>Health Facility Plan Review Fund</u>	<u>\$29,900</u>
26	<u>Public Pension Regulation Fund</u>	<u>\$9,900</u>

1	<u>Pesticide Control Fund</u>	<u>\$107,500</u>
2	<u>Partners for Conservation Fund</u>	<u>\$189,300</u>
3	<u>Motor Vehicle License Plate Fund</u>	<u>\$143,800</u>
4	<u>Horse Racing Fund</u>	<u>\$20,900</u>
5	<u>Death Certificate Surcharge Fund</u>	<u>\$16,800</u>
6	<u>Auction Regulation Administration Fund</u>	<u>\$1,000</u>
7	<u>Motor Carrier Safety Inspection Fund</u>	<u>\$56,800</u>
8	<u>Assisted Living and Shared Housing</u>	
9	<u>Regulatory Fund</u>	<u>\$2,200</u>
10	<u>Illinois Thoroughbred Breeders Fund</u>	<u>\$18,100</u>
11	<u>Secretary of State DUI Administration Fund</u>	<u>\$19,800</u>
12	<u>Child Support Administrative Fund</u>	<u>\$1,809,500</u>
13	<u>Secretary of State Police Services Fund</u>	<u>\$2,500</u>
14	<u>Medical Special Purposes Trust Fund</u>	<u>\$20,400</u>
15	<u>Dram Shop Fund</u>	<u>\$57,200</u>
16	<u>Illinois State Dental Disciplinary Fund</u>	<u>\$9,500</u>
17	<u>Cycle Rider Safety Training Fund</u>	<u>\$12,200</u>
18	<u>Traffic and Criminal Conviction Surcharge Fund</u>	<u>\$128,900</u>
19	<u>Design Professionals Administration</u>	
20	<u>and Investigation Fund</u>	<u>\$7,300</u>
21	<u>State Police Services Fund</u>	<u>\$335,700</u>
22	<u>Metabolic Screening and Treatment Fund</u>	<u>\$81,600</u>
23	<u>Insurance Producer Administration Fund</u>	<u>\$77,000</u>
24	<u>Hearing Instrument Dispenser Examining</u>	
25	<u>and Disciplinary Fund</u>	<u>\$1,900</u>
26	<u>Park and Conservation Fund</u>	<u>\$361,500</u>

1	<u>Adeline Jay Geo-Karis Illinois Beach</u>	
2	<u>Marina Fund</u>	<u>\$42,800</u>
3	<u>Insurance Financial Regulation Fund</u>	<u>\$108,000</u>
4	<u>Total</u>	<u>\$13,033,200</u>

5 (e) The term "workers' compensation services" means
6 services, claims expenses, and related administrative costs
7 incurred in performing the duties under Sections 405-105 and
8 405-411 of the Department of Central Management Services Law of
9 the Civil Administrative Code of Illinois.

10 (Source: P.A. 95-744, eff. 7-18-08; 96-45, eff. 7-15-09.)

11 (30 ILCS 105/6z-70)

12 Sec. 6z-70. The Secretary of State Identification Security
13 and Theft Prevention Fund.

14 (a) The Secretary of State Identification Security and
15 Theft Prevention Fund is created as a special fund in the State
16 treasury. The Fund shall consist of any fund transfers, grants,
17 fees, or moneys from other sources received for the purpose of
18 funding identification security and theft prevention measures.

19 (b) All moneys in the Secretary of State Identification
20 Security and Theft Prevention Fund shall be used, subject to
21 appropriation, for any costs related to implementing
22 identification security and theft prevention measures.

23 (c) Notwithstanding any other provision of State law to the
24 contrary, on or after July 1, 2007, and until June 30, 2008, in
25 addition to any other transfers that may be provided for by

1 law, at the direction of and upon notification of the Secretary
 2 of State, the State Comptroller shall direct and the State
 3 Treasurer shall transfer amounts into the Secretary of State
 4 Identification Security and Theft Prevention Fund from the
 5 designated funds not exceeding the following totals:

- 6 Lobbyist Registration Administration Fund \$100,000
- 7 Registered Limited Liability Partnership Fund \$75,000
- 8 Securities Investors Education Fund \$500,000
- 9 Securities Audit and Enforcement Fund \$5,725,000
- 10 Department of Business Services
- 11 Special Operations Fund \$3,000,000
- 12 Corporate Franchise Tax Refund Fund \$3,000,000.

13 (d) Notwithstanding any other provision of State law to the
 14 contrary, on or after July 1, 2008, and until June 30, 2009, in
 15 addition to any other transfers that may be provided for by
 16 law, at the direction of and upon notification of the Secretary
 17 of State, the State Comptroller shall direct and the State
 18 Treasurer shall transfer amounts into the Secretary of State
 19 Identification Security and Theft Prevention Fund from the
 20 designated funds not exceeding the following totals:

- 21 Lobbyist Registration Administration Fund \$100,000
- 22 Registered Limited Liability Partnership Fund \$75,000
- 23 Securities Investors Education Fund \$500,000
- 24 Securities Audit and Enforcement Fund \$5,725,000
- 25 Department of Business Services
- 26 Special Operations Fund \$3,000,000

1 Corporate Franchise Tax Refund Fund \$3,000,000

2 State Parking Facility Maintenance Fund \$100,000

3 (e) Notwithstanding any other provision of State law to the
4 contrary, on or after July 1, 2009, and until June 30, 2010, in
5 addition to any other transfers that may be provided for by
6 law, at the direction of and upon notification of the Secretary
7 of State, the State Comptroller shall direct and the State
8 Treasurer shall transfer amounts into the Secretary of State
9 Identification Security and Theft Prevention Fund from the
10 designated funds not exceeding the following totals:

11 Lobbyist Registration Administration Fund \$100,000

12 Registered Limited Liability Partnership Fund \$175,000

13 Securities Investors Education Fund \$750,000

14 Securities Audit and Enforcement Fund \$750,000

15 Department of Business Services

16 Special Operations Fund \$3,000,000

17 Corporate Franchise Tax Refund Fund \$3,000,000

18 State Parking Facility Maintenance Fund \$100,000

19 (f) Notwithstanding any other provision of State law to the
20 contrary, on or after July 1, 2010, and until June 30, 2011, in
21 addition to any other transfers that may be provided for by
22 law, at the direction of and upon notification of the Secretary
23 of State, the State Comptroller shall direct and the State
24 Treasurer shall transfer amounts into the Secretary of State
25 Identification Security and Theft Prevention Fund from the
26 designated funds not exceeding the following totals:

1	<u>Registered Limited Liability Partnership Fund</u>	<u>\$287,000</u>
2	<u>Securities Investors Education Board</u>	<u>\$750,000</u>
3	<u>Securities Audit and Enforcement Fund</u>	<u>\$750,000</u>
4	<u>Department of Business Services Special</u>	
5	<u>Operations Fund</u>	<u>\$3,000,000</u>
6	<u>Corporate Franchise Tax Refund Fund</u>	<u>\$3,000,000</u>

7 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;
8 96-45, eff. 7-15-09.)

9 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

10 Sec. 8.3. Money in the Road Fund shall, if and when the
11 State of Illinois incurs any bonded indebtedness for the
12 construction of permanent highways, be set aside and used for
13 the purpose of paying and discharging annually the principal
14 and interest on that bonded indebtedness then due and payable,
15 and for no other purpose. The surplus, if any, in the Road Fund
16 after the payment of principal and interest on that bonded
17 indebtedness then annually due shall be used as follows:

18 first -- to pay the cost of administration of Chapters
19 2 through 10 of the Illinois Vehicle Code, except the cost
20 of administration of Articles I and II of Chapter 3 of that
21 Code; and

22 secondly -- for expenses of the Department of
23 Transportation for construction, reconstruction,
24 improvement, repair, maintenance, operation, and
25 administration of highways in accordance with the

1 provisions of laws relating thereto, or for any purpose
2 related or incident to and connected therewith, including
3 the separation of grades of those highways with railroads
4 and with highways and including the payment of awards made
5 by the Illinois Workers' Compensation Commission under the
6 terms of the Workers' Compensation Act or Workers'
7 Occupational Diseases Act for injury or death of an
8 employee of the Division of Highways in the Department of
9 Transportation; or for the acquisition of land and the
10 erection of buildings for highway purposes, including the
11 acquisition of highway right-of-way or for investigations
12 to determine the reasonably anticipated future highway
13 needs; or for making of surveys, plans, specifications and
14 estimates for and in the construction and maintenance of
15 flight strips and of highways necessary to provide access
16 to military and naval reservations, to defense industries
17 and defense-industry sites, and to the sources of raw
18 materials and for replacing existing highways and highway
19 connections shut off from general public use at military
20 and naval reservations and defense-industry sites, or for
21 the purchase of right-of-way, except that the State shall
22 be reimbursed in full for any expense incurred in building
23 the flight strips; or for the operating and maintaining of
24 highway garages; or for patrolling and policing the public
25 highways and conserving the peace; or for the operating
26 expenses of the Department relating to the administration

1 of public transportation programs; or for any of those
2 purposes or any other purpose that may be provided by law.

3 Appropriations for any of those purposes are payable from
4 the Road Fund. Appropriations may also be made from the Road
5 Fund for the administrative expenses of any State agency that
6 are related to motor vehicles or arise from the use of motor
7 vehicles.

8 Beginning with fiscal year 1980 and thereafter, no Road
9 Fund monies shall be appropriated to the following Departments
10 or agencies of State government for administration, grants, or
11 operations; but this limitation is not a restriction upon
12 appropriating for those purposes any Road Fund monies that are
13 eligible for federal reimbursement;

14 1. Department of Public Health;

15 2. Department of Transportation, only with respect to
16 subsidies for one-half fare Student Transportation and
17 Reduced Fare for Elderly;

18 3. Department of Central Management Services, except
19 for expenditures incurred for group insurance premiums of
20 appropriate personnel;

21 4. Judicial Systems and Agencies.

22 Beginning with fiscal year 1981 and thereafter, no Road
23 Fund monies shall be appropriated to the following Departments
24 or agencies of State government for administration, grants, or
25 operations; but this limitation is not a restriction upon
26 appropriating for those purposes any Road Fund monies that are

1 eligible for federal reimbursement:

2 1. Department of State Police, except for expenditures
3 with respect to the Division of Operations;

4 2. Department of Transportation, only with respect to
5 Intercity Rail Subsidies and Rail Freight Services.

6 Beginning with fiscal year 1982 and thereafter, no Road
7 Fund monies shall be appropriated to the following Departments
8 or agencies of State government for administration, grants, or
9 operations; but this limitation is not a restriction upon
10 appropriating for those purposes any Road Fund monies that are
11 eligible for federal reimbursement: Department of Central
12 Management Services, except for awards made by the Illinois
13 Workers' Compensation Commission under the terms of the
14 Workers' Compensation Act or Workers' Occupational Diseases
15 Act for injury or death of an employee of the Division of
16 Highways in the Department of Transportation.

17 Beginning with fiscal year 1984 and thereafter, no Road
18 Fund monies shall be appropriated to the following Departments
19 or agencies of State government for administration, grants, or
20 operations; but this limitation is not a restriction upon
21 appropriating for those purposes any Road Fund monies that are
22 eligible for federal reimbursement:

23 1. Department of State Police, except not more than 40%
24 of the funds appropriated for the Division of Operations;

25 2. State Officers.

26 Beginning with fiscal year 1984 and thereafter, no Road

1 Fund monies shall be appropriated to any Department or agency
2 of State government for administration, grants, or operations
3 except as provided hereafter; but this limitation is not a
4 restriction upon appropriating for those purposes any Road Fund
5 monies that are eligible for federal reimbursement. It shall
6 not be lawful to circumvent the above appropriation limitations
7 by governmental reorganization or other methods.
8 Appropriations shall be made from the Road Fund only in
9 accordance with the provisions of this Section.

10 Money in the Road Fund shall, if and when the State of
11 Illinois incurs any bonded indebtedness for the construction of
12 permanent highways, be set aside and used for the purpose of
13 paying and discharging during each fiscal year the principal
14 and interest on that bonded indebtedness as it becomes due and
15 payable as provided in the Transportation Bond Act, and for no
16 other purpose. The surplus, if any, in the Road Fund after the
17 payment of principal and interest on that bonded indebtedness
18 then annually due shall be used as follows:

19 first -- to pay the cost of administration of Chapters
20 2 through 10 of the Illinois Vehicle Code; and

21 secondly -- no Road Fund monies derived from fees,
22 excises, or license taxes relating to registration,
23 operation and use of vehicles on public highways or to
24 fuels used for the propulsion of those vehicles, shall be
25 appropriated or expended other than for costs of
26 administering the laws imposing those fees, excises, and

1 license taxes, statutory refunds and adjustments allowed
2 thereunder, administrative costs of the Department of
3 Transportation, including, but not limited to, the
4 operating expenses of the Department relating to the
5 administration of public transportation programs, payment
6 of debts and liabilities incurred in construction and
7 reconstruction of public highways and bridges, acquisition
8 of rights-of-way for and the cost of construction,
9 reconstruction, maintenance, repair, and operation of
10 public highways and bridges under the direction and
11 supervision of the State, political subdivision, or
12 municipality collecting those monies, and the costs for
13 patrolling and policing the public highways (by State,
14 political subdivision, or municipality collecting that
15 money) for enforcement of traffic laws. The separation of
16 grades of such highways with railroads and costs associated
17 with protection of at-grade highway and railroad crossing
18 shall also be permissible.

19 Appropriations for any of such purposes are payable from
20 the Road Fund or the Grade Crossing Protection Fund as provided
21 in Section 8 of the Motor Fuel Tax Law.

22 Except as provided in this paragraph, beginning with fiscal
23 year 1991 and thereafter, no Road Fund monies shall be
24 appropriated to the Department of State Police for the purposes
25 of this Section in excess of its total fiscal year 1990 Road
26 Fund appropriations for those purposes unless otherwise

1 provided in Section 5g of this Act. For fiscal years 2003,
2 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
3 appropriated to the Department of State Police for the purposes
4 of this Section in excess of \$97,310,000. For fiscal year 2008
5 only, no Road Fund monies shall be appropriated to the
6 Department of State Police for the purposes of this Section in
7 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
8 monies shall be appropriated to the Department of State Police
9 for the purposes of this Section in excess of \$114,700,000.
10 Beginning in fiscal year 2010, no road fund moneys shall be
11 appropriated to the Department of State Police. It shall not be
12 lawful to circumvent this limitation on appropriations by
13 governmental reorganization or other methods unless otherwise
14 provided in Section 5g of this Act.

15 In fiscal year 1994, no Road Fund monies shall be
16 appropriated to the Secretary of State for the purposes of this
17 Section in excess of the total fiscal year 1991 Road Fund
18 appropriations to the Secretary of State for those purposes,
19 plus \$9,800,000. It shall not be lawful to circumvent this
20 limitation on appropriations by governmental reorganization or
21 other method.

22 Beginning with fiscal year 1995 and thereafter, no Road
23 Fund monies shall be appropriated to the Secretary of State for
24 the purposes of this Section in excess of the total fiscal year
25 1994 Road Fund appropriations to the Secretary of State for
26 those purposes. It shall not be lawful to circumvent this

1 limitation on appropriations by governmental reorganization or
2 other methods.

3 Beginning with fiscal year 2000, total Road Fund
4 appropriations to the Secretary of State for the purposes of
5 this Section shall not exceed the amounts specified for the
6 following fiscal years:

7	Fiscal Year 2000	\$80,500,000;
8	Fiscal Year 2001	\$80,500,000;
9	Fiscal Year 2002	\$80,500,000;
10	Fiscal Year 2003	\$130,500,000;
11	Fiscal Year 2004	\$130,500,000;
12	Fiscal Year 2005	\$130,500,000;
13	Fiscal Year 2006	\$130,500,000;
14	Fiscal Year 2007	\$130,500,000;
15	Fiscal Year 2008	\$130,500,000;
16	Fiscal Year 2009	\$130,500,000.

17 ~~For Beginning in~~ fiscal year 2010, no road fund moneys
18 shall be appropriated to the Secretary of State.

19 Beginning in fiscal year 2011, moneys in the Road Fund
20 shall be appropriated to the Secretary of State for the
21 exclusive purpose of paying refunds due to overpayment of fees
22 related to Chapter 3 of the Illinois Vehicle Code unless
23 otherwise provided for by law.

24 It shall not be lawful to circumvent this limitation on
25 appropriations by governmental reorganization or other
26 methods.

1 No new program may be initiated in fiscal year 1991 and
2 thereafter that is not consistent with the limitations imposed
3 by this Section for fiscal year 1984 and thereafter, insofar as
4 appropriation of Road Fund monies is concerned.

5 Nothing in this Section prohibits transfers from the Road
6 Fund to the State Construction Account Fund under Section 5e of
7 this Act; nor to the General Revenue Fund, as authorized by
8 this amendatory Act of the 93rd General Assembly.

9 The additional amounts authorized for expenditure in this
10 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
11 shall be repaid to the Road Fund from the General Revenue Fund
12 in the next succeeding fiscal year that the General Revenue
13 Fund has a positive budgetary balance, as determined by
14 generally accepted accounting principles applicable to
15 government.

16 The additional amounts authorized for expenditure by the
17 Secretary of State and the Department of State Police in this
18 Section by this amendatory Act of the 94th General Assembly
19 shall be repaid to the Road Fund from the General Revenue Fund
20 in the next succeeding fiscal year that the General Revenue
21 Fund has a positive budgetary balance, as determined by
22 generally accepted accounting principles applicable to
23 government.

24 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;
25 96-34, eff. 7-13-09.)

1 (30 ILCS 105/8.8) (from Ch. 127, par. 144.8)

2 Sec. 8.8. Appropriations for the improvement, development,
3 addition or expansion of services for the care, treatment, and
4 training of persons who are mentally retarded or subject to
5 involuntary admission under the Mental Health and
6 Developmental Disabilities Code or for the financing of any
7 program designed to provide such improvement, development,
8 addition or expansion of services or for expenses incurred in
9 administering the provisions of Sections 5-105 to 5-115,
10 inclusive, of the Mental Health and Developmental Disabilities
11 Code, or other ordinary and contingent expenses of the
12 Department of Human Services relating to mental health and
13 developmental disabilities, are payable from the Mental Health
14 Fund. However, no expenditures shall be made for the purchase,
15 construction, lease, or rental of buildings for use as
16 State-operated mental health or developmental disability
17 facilities ~~or for renovating or rehabilitating those~~
18 ~~buildings.~~

19 (Source: P.A. 89-507, eff. 7-1-97.)

20 (30 ILCS 105/8g)

21 Sec. 8g. Fund transfers.

22 (a) In addition to any other transfers that may be provided
23 for by law, as soon as may be practical after the effective
24 date of this amendatory Act of the 91st General Assembly, the
25 State Comptroller shall direct and the State Treasurer shall

1 transfer the sum of \$10,000,000 from the General Revenue Fund
2 to the Motor Vehicle License Plate Fund created by Senate Bill
3 1028 of the 91st General Assembly.

4 (b) In addition to any other transfers that may be provided
5 for by law, as soon as may be practical after the effective
6 date of this amendatory Act of the 91st General Assembly, the
7 State Comptroller shall direct and the State Treasurer shall
8 transfer the sum of \$25,000,000 from the General Revenue Fund
9 to the Fund for Illinois' Future created by Senate Bill 1066 of
10 the 91st General Assembly.

11 (c) In addition to any other transfers that may be provided
12 for by law, on August 30 of each fiscal year's license period,
13 the Illinois Liquor Control Commission shall direct and the
14 State Comptroller and State Treasurer shall transfer from the
15 General Revenue Fund to the Youth Alcoholism and Substance
16 Abuse Prevention Fund an amount equal to the number of retail
17 liquor licenses issued for that fiscal year multiplied by \$50.

18 (d) The payments to programs required under subsection (d)
19 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
20 pursuant to appropriation, from the special funds referred to
21 in the statutes cited in that subsection, rather than directly
22 from the General Revenue Fund.

23 Beginning January 1, 2000, on the first day of each month,
24 or as soon as may be practical thereafter, the State
25 Comptroller shall direct and the State Treasurer shall transfer
26 from the General Revenue Fund to each of the special funds from

1 which payments are to be made under Section 28.1(d) of the
2 Horse Racing Act of 1975 an amount equal to 1/12 of the annual
3 amount required for those payments from that special fund,
4 which annual amount shall not exceed the annual amount for
5 those payments from that special fund for the calendar year
6 1998. The special funds to which transfers shall be made under
7 this subsection (d) include, but are not necessarily limited
8 to, the Agricultural Premium Fund; the Metropolitan Exposition
9 Auditorium and Office Building Fund; the Fair and Exposition
10 Fund; the Standardbred Breeders Fund; the Thoroughbred
11 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

12 (e) In addition to any other transfers that may be provided
13 for by law, as soon as may be practical after the effective
14 date of this amendatory Act of the 91st General Assembly, but
15 in no event later than June 30, 2000, the State Comptroller
16 shall direct and the State Treasurer shall transfer the sum of
17 \$15,000,000 from the General Revenue Fund to the Fund for
18 Illinois' Future.

19 (f) In addition to any other transfers that may be provided
20 for by law, as soon as may be practical after the effective
21 date of this amendatory Act of the 91st General Assembly, but
22 in no event later than June 30, 2000, the State Comptroller
23 shall direct and the State Treasurer shall transfer the sum of
24 \$70,000,000 from the General Revenue Fund to the Long-Term Care
25 Provider Fund.

26 (f-1) In fiscal year 2002, in addition to any other

1 transfers that may be provided for by law, at the direction of
2 and upon notification from the Governor, the State Comptroller
3 shall direct and the State Treasurer shall transfer amounts not
4 exceeding a total of \$160,000,000 from the General Revenue Fund
5 to the Long-Term Care Provider Fund.

6 (g) In addition to any other transfers that may be provided
7 for by law, on July 1, 2001, or as soon thereafter as may be
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer the sum of \$1,200,000 from the General
10 Revenue Fund to the Violence Prevention Fund.

11 (h) In each of fiscal years 2002 through 2004, but not
12 thereafter, in addition to any other transfers that may be
13 provided for by law, the State Comptroller shall direct and the
14 State Treasurer shall transfer \$5,000,000 from the General
15 Revenue Fund to the Tourism Promotion Fund.

16 (i) On or after July 1, 2001 and until May 1, 2002, in
17 addition to any other transfers that may be provided for by
18 law, at the direction of and upon notification from the
19 Governor, the State Comptroller shall direct and the State
20 Treasurer shall transfer amounts not exceeding a total of
21 \$80,000,000 from the General Revenue Fund to the Tobacco
22 Settlement Recovery Fund. Any amounts so transferred shall be
23 re-transferred by the State Comptroller and the State Treasurer
24 from the Tobacco Settlement Recovery Fund to the General
25 Revenue Fund at the direction of and upon notification from the
26 Governor, but in any event on or before June 30, 2002.

1 (i-1) On or after July 1, 2002 and until May 1, 2003, in
 2 addition to any other transfers that may be provided for by
 3 law, at the direction of and upon notification from the
 4 Governor, the State Comptroller shall direct and the State
 5 Treasurer shall transfer amounts not exceeding a total of
 6 \$80,000,000 from the General Revenue Fund to the Tobacco
 7 Settlement Recovery Fund. Any amounts so transferred shall be
 8 re-transferred by the State Comptroller and the State Treasurer
 9 from the Tobacco Settlement Recovery Fund to the General
 10 Revenue Fund at the direction of and upon notification from the
 11 Governor, but in any event on or before June 30, 2003.

12 (j) On or after July 1, 2001 and no later than June 30,
 13 2002, in addition to any other transfers that may be provided
 14 for by law, at the direction of and upon notification from the
 15 Governor, the State Comptroller shall direct and the State
 16 Treasurer shall transfer amounts not to exceed the following
 17 sums into the Statistical Services Revolving Fund:

18	From the General Revenue Fund	\$8,450,000
19	From the Public Utility Fund	1,700,000
20	From the Transportation Regulatory Fund	2,650,000
21	From the Title III Social Security and	
22	Employment Fund	3,700,000
23	From the Professions Indirect Cost Fund	4,050,000
24	From the Underground Storage Tank Fund	550,000
25	From the Agricultural Premium Fund	750,000
26	From the State Pensions Fund	200,000

1	From the Road Fund	2,000,000
2	From the Health Facilities	
3	Planning Fund	1,000,000
4	From the Savings and Residential Finance	
5	Regulatory Fund	130,800
6	From the Appraisal Administration Fund	28,600
7	From the Pawnbroker Regulation Fund	3,600
8	From the Auction Regulation	
9	Administration Fund	35,800
10	From the Bank and Trust Company Fund.....	634,800
11	From the Real Estate License	
12	Administration Fund	313,600

13 (k) In addition to any other transfers that may be provided
 14 for by law, as soon as may be practical after the effective
 15 date of this amendatory Act of the 92nd General Assembly, the
 16 State Comptroller shall direct and the State Treasurer shall
 17 transfer the sum of \$2,000,000 from the General Revenue Fund to
 18 the Teachers Health Insurance Security Fund.

19 (k-1) In addition to any other transfers that may be
 20 provided for by law, on July 1, 2002, or as soon as may be
 21 practical thereafter, the State Comptroller shall direct and
 22 the State Treasurer shall transfer the sum of \$2,000,000 from
 23 the General Revenue Fund to the Teachers Health Insurance
 24 Security Fund.

25 (k-2) In addition to any other transfers that may be
 26 provided for by law, on July 1, 2003, or as soon as may be

1 practical thereafter, the State Comptroller shall direct and
 2 the State Treasurer shall transfer the sum of \$2,000,000 from
 3 the General Revenue Fund to the Teachers Health Insurance
 4 Security Fund.

5 (k-3) On or after July 1, 2002 and no later than June 30,
 6 2003, in addition to any other transfers that may be provided
 7 for by law, at the direction of and upon notification from the
 8 Governor, the State Comptroller shall direct and the State
 9 Treasurer shall transfer amounts not to exceed the following
 10 sums into the Statistical Services Revolving Fund:

11	Appraisal Administration Fund	\$150,000
12	General Revenue Fund	10,440,000
13	Savings and Residential Finance	
14	Regulatory Fund	200,000
15	State Pensions Fund	100,000
16	Bank and Trust Company Fund	100,000
17	Professions Indirect Cost Fund	3,400,000
18	Public Utility Fund	2,081,200
19	Real Estate License Administration Fund	150,000
20	Title III Social Security and	
21	Employment Fund	1,000,000
22	Transportation Regulatory Fund	3,052,100
23	Underground Storage Tank Fund	50,000

24 (l) In addition to any other transfers that may be provided
 25 for by law, on July 1, 2002, or as soon as may be practical
 26 thereafter, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$3,000,000 from the General
2 Revenue Fund to the Presidential Library and Museum Operating
3 Fund.

4 (m) In addition to any other transfers that may be provided
5 for by law, on July 1, 2002 and on the effective date of this
6 amendatory Act of the 93rd General Assembly, or as soon
7 thereafter as may be practical, the State Comptroller shall
8 direct and the State Treasurer shall transfer the sum of
9 \$1,200,000 from the General Revenue Fund to the Violence
10 Prevention Fund.

11 (n) In addition to any other transfers that may be provided
12 for by law, on July 1, 2003, or as soon thereafter as may be
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the sum of \$6,800,000 from the General
15 Revenue Fund to the DHS Recoveries Trust Fund.

16 (o) On or after July 1, 2003, and no later than June 30,
17 2004, in addition to any other transfers that may be provided
18 for by law, at the direction of and upon notification from the
19 Governor, the State Comptroller shall direct and the State
20 Treasurer shall transfer amounts not to exceed the following
21 sums into the Vehicle Inspection Fund:

22 From the Underground Storage Tank Fund \$35,000,000.

23 (p) On or after July 1, 2003 and until May 1, 2004, in
24 addition to any other transfers that may be provided for by
25 law, at the direction of and upon notification from the
26 Governor, the State Comptroller shall direct and the State

1 Treasurer shall transfer amounts not exceeding a total of
2 \$80,000,000 from the General Revenue Fund to the Tobacco
3 Settlement Recovery Fund. Any amounts so transferred shall be
4 re-transferred from the Tobacco Settlement Recovery Fund to the
5 General Revenue Fund at the direction of and upon notification
6 from the Governor, but in any event on or before June 30, 2004.

7 (q) In addition to any other transfers that may be provided
8 for by law, on July 1, 2003, or as soon as may be practical
9 thereafter, the State Comptroller shall direct and the State
10 Treasurer shall transfer the sum of \$5,000,000 from the General
11 Revenue Fund to the Illinois Military Family Relief Fund.

12 (r) In addition to any other transfers that may be provided
13 for by law, on July 1, 2003, or as soon as may be practical
14 thereafter, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$1,922,000 from the General
16 Revenue Fund to the Presidential Library and Museum Operating
17 Fund.

18 (s) In addition to any other transfers that may be provided
19 for by law, on or after July 1, 2003, the State Comptroller
20 shall direct and the State Treasurer shall transfer the sum of
21 \$4,800,000 from the Statewide Economic Development Fund to the
22 General Revenue Fund.

23 (t) In addition to any other transfers that may be provided
24 for by law, on or after July 1, 2003, the State Comptroller
25 shall direct and the State Treasurer shall transfer the sum of
26 \$50,000,000 from the General Revenue Fund to the Budget

1 Stabilization Fund.

2 (u) On or after July 1, 2004 and until May 1, 2005, in
3 addition to any other transfers that may be provided for by
4 law, at the direction of and upon notification from the
5 Governor, the State Comptroller shall direct and the State
6 Treasurer shall transfer amounts not exceeding a total of
7 \$80,000,000 from the General Revenue Fund to the Tobacco
8 Settlement Recovery Fund. Any amounts so transferred shall be
9 retransferred by the State Comptroller and the State Treasurer
10 from the Tobacco Settlement Recovery Fund to the General
11 Revenue Fund at the direction of and upon notification from the
12 Governor, but in any event on or before June 30, 2005.

13 (v) In addition to any other transfers that may be provided
14 for by law, on July 1, 2004, or as soon thereafter as may be
15 practical, the State Comptroller shall direct and the State
16 Treasurer shall transfer the sum of \$1,200,000 from the General
17 Revenue Fund to the Violence Prevention Fund.

18 (w) In addition to any other transfers that may be provided
19 for by law, on July 1, 2004, or as soon thereafter as may be
20 practical, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$6,445,000 from the General
22 Revenue Fund to the Presidential Library and Museum Operating
23 Fund.

24 (x) In addition to any other transfers that may be provided
25 for by law, on January 15, 2005, or as soon thereafter as may
26 be practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer to the General Revenue Fund the
2 following sums:

3 From the State Crime Laboratory Fund, \$200,000;

4 From the State Police Wireless Service Emergency Fund,
5 \$200,000;

6 From the State Offender DNA Identification System
7 Fund, \$800,000; and

8 From the State Police Whistleblower Reward and
9 Protection Fund, \$500,000.

10 (y) Notwithstanding any other provision of law to the
11 contrary, in addition to any other transfers that may be
12 provided for by law on June 30, 2005, or as soon as may be
13 practical thereafter, the State Comptroller shall direct and
14 the State Treasurer shall transfer the remaining balance from
15 the designated funds into the General Revenue Fund and any
16 future deposits that would otherwise be made into these funds
17 must instead be made into the General Revenue Fund:

18 (1) the Keep Illinois Beautiful Fund;

19 (2) the Metropolitan Fair and Exposition Authority
20 Reconstruction Fund;

21 (3) the New Technology Recovery Fund;

22 (4) the Illinois Rural Bond Bank Trust Fund;

23 (5) the ISBE School Bus Driver Permit Fund;

24 (6) the Solid Waste Management Revolving Loan Fund;

25 (7) the State Postsecondary Review Program Fund;

26 (8) the Tourism Attraction Development Matching Grant

1 Fund;

2 (9) the Patent and Copyright Fund;

3 (10) the Credit Enhancement Development Fund;

4 (11) the Community Mental Health and Developmental
5 Disabilities Services Provider Participation Fee Trust
6 Fund;

7 (12) the Nursing Home Grant Assistance Fund;

8 (13) the By-product Material Safety Fund;

9 (14) the Illinois Student Assistance Commission Higher
10 EdNet Fund;

11 (15) the DORS State Project Fund;

12 (16) the School Technology Revolving Fund;

13 (17) the Energy Assistance Contribution Fund;

14 (18) the Illinois Building Commission Revolving Fund;

15 (19) the Illinois Aquaculture Development Fund;

16 (20) the Homelessness Prevention Fund;

17 (21) the DCFS Refugee Assistance Fund;

18 (22) the Illinois Century Network Special Purposes
19 Fund; and

20 (23) the Build Illinois Purposes Fund.

21 (z) In addition to any other transfers that may be provided
22 for by law, on July 1, 2005, or as soon as may be practical
23 thereafter, the State Comptroller shall direct and the State
24 Treasurer shall transfer the sum of \$1,200,000 from the General
25 Revenue Fund to the Violence Prevention Fund.

26 (aa) In addition to any other transfers that may be

1 provided for by law, on July 1, 2005, or as soon as may be
2 practical thereafter, the State Comptroller shall direct and
3 the State Treasurer shall transfer the sum of \$9,000,000 from
4 the General Revenue Fund to the Presidential Library and Museum
5 Operating Fund.

6 (bb) In addition to any other transfers that may be
7 provided for by law, on July 1, 2005, or as soon as may be
8 practical thereafter, the State Comptroller shall direct and
9 the State Treasurer shall transfer the sum of \$6,803,600 from
10 the General Revenue Fund to the Securities Audit and
11 Enforcement Fund.

12 (cc) In addition to any other transfers that may be
13 provided for by law, on or after July 1, 2005 and until May 1,
14 2006, at the direction of and upon notification from the
15 Governor, the State Comptroller shall direct and the State
16 Treasurer shall transfer amounts not exceeding a total of
17 \$80,000,000 from the General Revenue Fund to the Tobacco
18 Settlement Recovery Fund. Any amounts so transferred shall be
19 re-transferred by the State Comptroller and the State Treasurer
20 from the Tobacco Settlement Recovery Fund to the General
21 Revenue Fund at the direction of and upon notification from the
22 Governor, but in any event on or before June 30, 2006.

23 (dd) In addition to any other transfers that may be
24 provided for by law, on April 1, 2005, or as soon thereafter as
25 may be practical, at the direction of the Director of Public
26 Aid (now Director of Healthcare and Family Services), the State

1 Comptroller shall direct and the State Treasurer shall transfer
2 from the Public Aid Recoveries Trust Fund amounts not to exceed
3 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

4 (ee) Notwithstanding any other provision of law, on July 1,
5 2006, or as soon thereafter as practical, the State Comptroller
6 shall direct and the State Treasurer shall transfer the
7 remaining balance from the Illinois Civic Center Bond Fund to
8 the Illinois Civic Center Bond Retirement and Interest Fund.

9 (ff) In addition to any other transfers that may be
10 provided for by law, on and after July 1, 2006 and until June
11 30, 2007, at the direction of and upon notification from the
12 Director of the Governor's Office of Management and Budget, the
13 State Comptroller shall direct and the State Treasurer shall
14 transfer amounts not exceeding a total of \$1,900,000 from the
15 General Revenue Fund to the Illinois Capital Revolving Loan
16 Fund.

17 (gg) In addition to any other transfers that may be
18 provided for by law, on and after July 1, 2006 and until May 1,
19 2007, at the direction of and upon notification from the
20 Governor, the State Comptroller shall direct and the State
21 Treasurer shall transfer amounts not exceeding a total of
22 \$80,000,000 from the General Revenue Fund to the Tobacco
23 Settlement Recovery Fund. Any amounts so transferred shall be
24 retransferred by the State Comptroller and the State Treasurer
25 from the Tobacco Settlement Recovery Fund to the General
26 Revenue Fund at the direction of and upon notification from the

1 Governor, but in any event on or before June 30, 2007.

2 (hh) In addition to any other transfers that may be
3 provided for by law, on and after July 1, 2006 and until June
4 30, 2007, at the direction of and upon notification from the
5 Governor, the State Comptroller shall direct and the State
6 Treasurer shall transfer amounts from the Illinois Affordable
7 Housing Trust Fund to the designated funds not exceeding the
8 following amounts:

- 9 DCFS Children's Services Fund \$2,200,000
- 10 Department of Corrections Reimbursement
- 11 and Education Fund \$1,500,000
- 12 Supplemental Low-Income Energy
- 13 Assistance Fund \$75,000

14 (ii) In addition to any other transfers that may be
15 provided for by law, on or before August 31, 2006, the Governor
16 and the State Comptroller may agree to transfer the surplus
17 cash balance from the General Revenue Fund to the Budget
18 Stabilization Fund and the Pension Stabilization Fund in equal
19 proportions. The determination of the amount of the surplus
20 cash balance shall be made by the Governor, with the
21 concurrence of the State Comptroller, after taking into account
22 the June 30, 2006 balances in the general funds and the actual
23 or estimated spending from the general funds during the lapse
24 period. Notwithstanding the foregoing, the maximum amount that
25 may be transferred under this subsection (ii) is \$50,000,000.

26 (jj) In addition to any other transfers that may be

1 provided for by law, on July 1, 2006, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$8,250,000 from the General
4 Revenue Fund to the Presidential Library and Museum Operating
5 Fund.

6 (kk) In addition to any other transfers that may be
7 provided for by law, on July 1, 2006, or as soon thereafter as
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer the sum of \$1,400,000 from the General
10 Revenue Fund to the Violence Prevention Fund.

11 (ll) In addition to any other transfers that may be
12 provided for by law, on the first day of each calendar quarter
13 of the fiscal year beginning July 1, 2006, or as soon
14 thereafter as practical, the State Comptroller shall direct and
15 the State Treasurer shall transfer from the General Revenue
16 Fund amounts equal to one-fourth of \$20,000,000 to the
17 Renewable Energy Resources Trust Fund.

18 (mm) In addition to any other transfers that may be
19 provided for by law, on July 1, 2006, or as soon thereafter as
20 practical, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$1,320,000 from the General
22 Revenue Fund to the I-FLY Fund.

23 (nn) In addition to any other transfers that may be
24 provided for by law, on July 1, 2006, or as soon thereafter as
25 practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$3,000,000 from the General

1 Revenue Fund to the African-American HIV/AIDS Response Fund.

2 (oo) In addition to any other transfers that may be
3 provided for by law, on and after July 1, 2006 and until June
4 30, 2007, at the direction of and upon notification from the
5 Governor, the State Comptroller shall direct and the State
6 Treasurer shall transfer amounts identified as net receipts
7 from the sale of all or part of the Illinois Student Assistance
8 Commission loan portfolio from the Student Loan Operating Fund
9 to the General Revenue Fund. The maximum amount that may be
10 transferred pursuant to this Section is \$38,800,000. In
11 addition, no transfer may be made pursuant to this Section that
12 would have the effect of reducing the available balance in the
13 Student Loan Operating Fund to an amount less than the amount
14 remaining unexpended and unreserved from the total
15 appropriations from the Fund estimated to be expended for the
16 fiscal year. The State Treasurer and Comptroller shall transfer
17 the amounts designated under this Section as soon as may be
18 practical after receiving the direction to transfer from the
19 Governor.

20 (pp) In addition to any other transfers that may be
21 provided for by law, on July 1, 2006, or as soon thereafter as
22 practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer the sum of \$2,000,000 from the General
24 Revenue Fund to the Illinois Veterans Assistance Fund.

25 (qq) In addition to any other transfers that may be
26 provided for by law, on and after July 1, 2007 and until May 1,

1 2008, at the direction of and upon notification from the
 2 Governor, the State Comptroller shall direct and the State
 3 Treasurer shall transfer amounts not exceeding a total of
 4 \$80,000,000 from the General Revenue Fund to the Tobacco
 5 Settlement Recovery Fund. Any amounts so transferred shall be
 6 retransferred by the State Comptroller and the State Treasurer
 7 from the Tobacco Settlement Recovery Fund to the General
 8 Revenue Fund at the direction of and upon notification from the
 9 Governor, but in any event on or before June 30, 2008.

10 (rr) In addition to any other transfers that may be
 11 provided for by law, on and after July 1, 2007 and until June
 12 30, 2008, at the direction of and upon notification from the
 13 Governor, the State Comptroller shall direct and the State
 14 Treasurer shall transfer amounts from the Illinois Affordable
 15 Housing Trust Fund to the designated funds not exceeding the
 16 following amounts:

- 17 DCFS Children's Services Fund \$2,200,000
- 18 Department of Corrections Reimbursement
- 19 and Education Fund \$1,500,000
- 20 Supplemental Low-Income Energy
- 21 Assistance Fund \$75,000

22 (ss) In addition to any other transfers that may be
 23 provided for by law, on July 1, 2007, or as soon thereafter as
 24 practical, the State Comptroller shall direct and the State
 25 Treasurer shall transfer the sum of \$8,250,000 from the General
 26 Revenue Fund to the Presidential Library and Museum Operating

1 Fund.

2 (tt) In addition to any other transfers that may be
3 provided for by law, on July 1, 2007, or as soon thereafter as
4 practical, the State Comptroller shall direct and the State
5 Treasurer shall transfer the sum of \$1,400,000 from the General
6 Revenue Fund to the Violence Prevention Fund.

7 (uu) In addition to any other transfers that may be
8 provided for by law, on July 1, 2007, or as soon thereafter as
9 practical, the State Comptroller shall direct and the State
10 Treasurer shall transfer the sum of \$1,320,000 from the General
11 Revenue Fund to the I-FLY Fund.

12 (vv) In addition to any other transfers that may be
13 provided for by law, on July 1, 2007, or as soon thereafter as
14 practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$3,000,000 from the General
16 Revenue Fund to the African-American HIV/AIDS Response Fund.

17 (ww) In addition to any other transfers that may be
18 provided for by law, on July 1, 2007, or as soon thereafter as
19 practical, the State Comptroller shall direct and the State
20 Treasurer shall transfer the sum of \$3,500,000 from the General
21 Revenue Fund to the Predatory Lending Database Program Fund.

22 (xx) In addition to any other transfers that may be
23 provided for by law, on July 1, 2007, or as soon thereafter as
24 practical, the State Comptroller shall direct and the State
25 Treasurer shall transfer the sum of \$5,000,000 from the General
26 Revenue Fund to the Digital Divide Elimination Fund.

1 (yy) In addition to any other transfers that may be
2 provided for by law, on July 1, 2007, or as soon thereafter as
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer the sum of \$4,000,000 from the General
5 Revenue Fund to the Digital Divide Elimination Infrastructure
6 Fund.

7 (zz) In addition to any other transfers that may be
8 provided for by law, on July 1, 2008, or as soon thereafter as
9 practical, the State Comptroller shall direct and the State
10 Treasurer shall transfer the sum of \$5,000,000 from the General
11 Revenue Fund to the Digital Divide Elimination Fund.

12 (aaa) In addition to any other transfers that may be
13 provided for by law, on and after July 1, 2008 and until May 1,
14 2009, at the direction of and upon notification from the
15 Governor, the State Comptroller shall direct and the State
16 Treasurer shall transfer amounts not exceeding a total of
17 \$80,000,000 from the General Revenue Fund to the Tobacco
18 Settlement Recovery Fund. Any amounts so transferred shall be
19 retransferred by the State Comptroller and the State Treasurer
20 from the Tobacco Settlement Recovery Fund to the General
21 Revenue Fund at the direction of and upon notification from the
22 Governor, but in any event on or before June 30, 2009.

23 (bbb) In addition to any other transfers that may be
24 provided for by law, on and after July 1, 2008 and until June
25 30, 2009, at the direction of and upon notification from the
26 Governor, the State Comptroller shall direct and the State

1 Treasurer shall transfer amounts from the Illinois Affordable
2 Housing Trust Fund to the designated funds not exceeding the
3 following amounts:

- 4 DCFS Children's Services Fund \$2,200,000
- 5 Department of Corrections Reimbursement
- 6 and Education Fund \$1,500,000
- 7 Supplemental Low-Income Energy
- 8 Assistance Fund \$75,000

9 (ccc) In addition to any other transfers that may be
10 provided for by law, on July 1, 2008, or as soon thereafter as
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$7,450,000 from the General
13 Revenue Fund to the Presidential Library and Museum Operating
14 Fund.

15 (ddd) In addition to any other transfers that may be
16 provided for by law, on July 1, 2008, or as soon thereafter as
17 practical, the State Comptroller shall direct and the State
18 Treasurer shall transfer the sum of \$1,400,000 from the General
19 Revenue Fund to the Violence Prevention Fund.

20 (eee) In addition to any other transfers that may be
21 provided for by law, on July 1, 2009, or as soon thereafter as
22 practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer the sum of \$5,000,000 from the General
24 Revenue Fund to the Digital Divide Elimination Fund.

25 (fff) In addition to any other transfers that may be
26 provided for by law, on and after July 1, 2009 and until May 1,

1 2010, at the direction of and upon notification from the
2 Governor, the State Comptroller shall direct and the State
3 Treasurer shall transfer amounts not exceeding a total of
4 \$80,000,000 from the General Revenue Fund to the Tobacco
5 Settlement Recovery Fund. Any amounts so transferred shall be
6 retransferred by the State Comptroller and the State Treasurer
7 from the Tobacco Settlement Recovery Fund to the General
8 Revenue Fund at the direction of and upon notification from the
9 Governor, but in any event on or before June 30, 2010.

10 (ggg) In addition to any other transfers that may be
11 provided for by law, on July 1, 2009, or as soon thereafter as
12 practical, the State Comptroller shall direct and the State
13 Treasurer shall transfer the sum of \$7,450,000 from the General
14 Revenue Fund to the Presidential Library and Museum Operating
15 Fund.

16 (hhh) In addition to any other transfers that may be
17 provided for by law, on July 1, 2009, or as soon thereafter as
18 practical, the State Comptroller shall direct and the State
19 Treasurer shall transfer the sum of \$1,400,000 from the General
20 Revenue Fund to the Violence Prevention Fund.

21 (iii) In addition to any other transfers that may be
22 provided for by law, on July 1, 2009, or as soon thereafter as
23 practical, the State Comptroller shall direct and the State
24 Treasurer shall transfer the sum of \$100,000 from the General
25 Revenue Fund to the Heartsaver AED Fund.

26 (jjj) In addition to any other transfers that may be

1 provided for by law, on and after July 1, 2009 and until June
2 30, 2010, at the direction of and upon notification from the
3 Governor, the State Comptroller shall direct and the State
4 Treasurer shall transfer amounts not exceeding a total of
5 \$17,000,000 from the General Revenue Fund to the DCFS
6 Children's Services Fund.

7 (lll) In addition to any other transfers that may be
8 provided for by law, on July 1, 2009, or as soon thereafter as
9 practical, the State Comptroller shall direct and the State
10 Treasurer shall transfer the sum of \$5,000,000 from the General
11 Revenue Fund to the Communications Revolving Fund.

12 (mmm) In addition to any other transfers that may be
13 provided for by law, on July 1, 2009, or as soon thereafter as
14 practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$9,700,000 from the General
16 Revenue Fund to the Senior Citizens Real Estate Deferred Tax
17 Revolving Fund.

18 (nnn) In addition to any other transfers that may be
19 provided for by law, on July 1, 2009, or as soon thereafter as
20 practical, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$565,000 from the FY09
22 Budget Relief Fund to the Horse Racing Fund.

23 (ooo) In addition to any other transfers that may be
24 provided by law, on July 1, 2009, or as soon thereafter as
25 practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$600,000 from the General

1 Revenue Fund to the Temporary Relocation Expenses Revolving
2 Fund.

3 (ppp) In addition to any other transfers that may be
4 provided for by law, on July 1, 2010, or as soon thereafter as
5 practical, the State Comptroller shall direct and the State
6 Treasurer shall transfer the sum of \$5,000,000 from the General
7 Revenue Fund to the Digital Divide Elimination Fund.

8 (qqq) In addition to any other transfers that may be
9 provided for by law, on and after July 1, 2010 and until May 1,
10 2011, at the direction of and upon notification from the
11 Governor, the State Comptroller shall direct and the State
12 Treasurer shall transfer amounts not exceeding a total of
13 \$80,000,000 from the General Revenue Fund to the Tobacco
14 Settlement Recovery Fund. Any amounts so transferred shall be
15 retransferred by the State Comptroller and the State Treasurer
16 from the Tobacco Settlement Recovery Fund to the General
17 Revenue Fund at the direction of and upon notification from the
18 Governor, but in any event on or before June 30, 2011.

19 (rrr) In addition to any other transfers that may be
20 provided for by law, on July 1, 2010, or as soon thereafter as
21 practical, the State Comptroller shall direct and the State
22 Treasurer shall transfer the sum of \$6,675,000 from the General
23 Revenue Fund to the Presidential Library and Museum Operating
24 Fund.

25 (sss) In addition to any other transfers that may be
26 provided for by law, on July 1, 2010, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$1,400,000 from the General
3 Revenue Fund to the Violence Prevention Fund.

4 (ttt) In addition to any other transfers that may be
5 provided for by law, on July 1, 2010, or as soon thereafter as
6 practical, the State Comptroller shall direct and the State
7 Treasurer shall transfer the sum of \$100,000 from the General
8 Revenue Fund to the Heartsaver AED Fund.

9 (uuu) In addition to any other transfers that may be
10 provided for by law, on July 1, 2010, or as soon thereafter as
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$5,000,000 from the General
13 Revenue Fund to the Communications Revolving Fund.

14 (vvv) In addition to any other transfers that may be
15 provided for by law, on July 1, 2010, or as soon thereafter as
16 practical, the State Comptroller shall direct and the State
17 Treasurer shall transfer the sum of \$3,000,000 from the General
18 Revenue Fund to the Illinois Capital Revolving Loan Fund.

19 (www) In addition to any other transfers that may be
20 provided for by law, on July 1, 2010, or as soon thereafter as
21 practical, the State Comptroller shall direct and the State
22 Treasurer shall transfer the sum of \$17,000,000 from the
23 General Revenue Fund to the DCFS Children's Services Fund.

24 (xxx) In addition to any other transfers that may be
25 provided for by law, on July 1, 2010, or as soon thereafter as
26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$2,000,000 from the Digital
2 Divide Elimination Infrastructure Fund, of which \$1,000,000
3 shall go to the Workforce, Technology, and Economic Development
4 Fund and \$1,000,000 to the Public Utility Fund.

5 (Source: P.A. 95-331, eff. 8-21-07; 95-707, eff. 1-11-08;
6 95-744, eff. 7-18-08; 96-45, eff. 7-15-09; 96-820, eff.
7 11-18-09.)

8 (30 ILCS 105/80)

9 Sec. 80. Transfer to the University of Illinois Income
10 Fund.

11 (a) Immediately upon the effective date of this Section,
12 the State Comptroller shall direct and the State Treasurer
13 shall transfer \$15,826,499 from the General Revenue Fund to the
14 University of Illinois Income Fund.

15 (b) In addition to any other transfers that may be provided
16 for by law, on the first day of each calendar quarter of the
17 fiscal year beginning July 1, 2009, or as soon as may be
18 practical thereafter, the State Comptroller shall direct and
19 the State Treasurer shall transfer an amount equal to
20 one-fourth of \$15,826,499 from the General Revenue Fund to the
21 University of Illinois Income Fund.

22 (c) In addition to any other transfers that may be provided
23 for by law, on the first day of each calendar quarter of the
24 fiscal year beginning July 1, 2010, or as soon as may be
25 practical thereafter, the State Comptroller shall direct and

1 the State Treasurer shall transfer an amount equal to one
2 fourth of \$15,826,499 from the General Revenue Fund to the
3 University of Illinois Income Fund.

4 (Source: P.A. 95-728, eff. 7-1-08; 96-45, eff. 7-15-09.)

5 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

6 Sec. 13.2. Transfers among line item appropriations.

7 (a) Transfers among line item appropriations from the same
8 treasury fund for the objects specified in this Section may be
9 made in the manner provided in this Section when the balance
10 remaining in one or more such line item appropriations is
11 insufficient for the purpose for which the appropriation was
12 made.

13 (a-1) No transfers may be made from one agency to another
14 agency, nor may transfers be made from one institution of
15 higher education to another institution of higher education.

16 (a-2) Except as otherwise provided in this Section,
17 transfers may be made only among the objects of expenditure
18 enumerated in this Section, except that no funds may be
19 transferred from any appropriation for personal services, from
20 any appropriation for State contributions to the State
21 Employees' Retirement System, from any separate appropriation
22 for employee retirement contributions paid by the employer, nor
23 from any appropriation for State contribution for employee
24 group insurance. During State fiscal year 2005, an agency may
25 transfer amounts among its appropriations within the same

1 treasury fund for personal services, employee retirement
2 contributions paid by employer, and State Contributions to
3 retirement systems; notwithstanding and in addition to the
4 transfers authorized in subsection (c) of this Section, the
5 fiscal year 2005 transfers authorized in this sentence may be
6 made in an amount not to exceed 2% of the aggregate amount
7 appropriated to an agency within the same treasury fund. During
8 State fiscal year 2007, the Departments of Children and Family
9 Services, Corrections, Human Services, and Juvenile Justice
10 may transfer amounts among their respective appropriations
11 within the same treasury fund for personal services, employee
12 retirement contributions paid by employer, and State
13 contributions to retirement systems. During State fiscal year
14 2010, the Department of Transportation may transfer amounts
15 among their respective appropriations within the same treasury
16 fund for personal services, employee retirement contributions
17 paid by employer, and State contributions to retirement
18 systems. During State fiscal year 2010 only, an agency may
19 transfer amounts among its respective appropriations within
20 the same treasury fund for personal services, employee
21 retirement contributions paid by employer, and State
22 contributions to retirement systems. Notwithstanding, and in
23 addition to, the transfers authorized in subsection (c) of this
24 Section, these transfers may be made in an amount not to exceed
25 2% of the aggregate amount appropriated to an agency within the
26 same treasury fund.

1 (a-3) Further, if an agency receives a separate
2 appropriation for employee retirement contributions paid by
3 the employer, any transfer by that agency into an appropriation
4 for personal services must be accompanied by a corresponding
5 transfer into the appropriation for employee retirement
6 contributions paid by the employer, in an amount sufficient to
7 meet the employer share of the employee contributions required
8 to be remitted to the retirement system.

9 (b) In addition to the general transfer authority provided
10 under subsection (c), the following agencies have the specific
11 transfer authority granted in this subsection:

12 The Department of Healthcare and Family Services is
13 authorized to make transfers representing savings attributable
14 to not increasing grants due to the births of additional
15 children from line items for payments of cash grants to line
16 items for payments for employment and social services for the
17 purposes outlined in subsection (f) of Section 4-2 of the
18 Illinois Public Aid Code.

19 The Department of Children and Family Services is
20 authorized to make transfers not exceeding 2% of the aggregate
21 amount appropriated to it within the same treasury fund for the
22 following line items among these same line items: Foster Home
23 and Specialized Foster Care and Prevention, Institutions and
24 Group Homes and Prevention, and Purchase of Adoption and
25 Guardianship Services.

26 The Department on Aging is authorized to make transfers not

1 exceeding 2% of the aggregate amount appropriated to it within
2 the same treasury fund for the following Community Care Program
3 line items among these same line items: Homemaker and Senior
4 Companion Services, Alternative Senior Services, Case
5 Coordination Units, and Adult Day Care Services.

6 The State Treasurer is authorized to make transfers among
7 line item appropriations from the Capital Litigation Trust
8 Fund, with respect to costs incurred in fiscal years 2002 and
9 2003 only, when the balance remaining in one or more such line
10 item appropriations is insufficient for the purpose for which
11 the appropriation was made, provided that no such transfer may
12 be made unless the amount transferred is no longer required for
13 the purpose for which that appropriation was made.

14 The State Board of Education is authorized to make
15 transfers from line item appropriations within the same
16 treasury fund for General State Aid and General State Aid -
17 Hold Harmless, provided that no such transfer may be made
18 unless the amount transferred is no longer required for the
19 purpose for which that appropriation was made, to the line item
20 appropriation for Transitional Assistance when the balance
21 remaining in such line item appropriation is insufficient for
22 the purpose for which the appropriation was made.

23 The State Board of Education is authorized to make
24 transfers between the following line item appropriations
25 within the same treasury fund: Disabled Student
26 Services/Materials (Section 14-13.01 of the School Code),

1 Disabled Student Transportation Reimbursement (Section
2 14-13.01 of the School Code), Disabled Student Tuition -
3 Private Tuition (Section 14-7.02 of the School Code),
4 Extraordinary Special Education (Section 14-7.02b of the
5 School Code), Reimbursement for Free Lunch/Breakfast Program,
6 Summer School Payments (Section 18-4.3 of the School Code), and
7 Transportation - Regular/Vocational Reimbursement (Section
8 29-5 of the School Code). Such transfers shall be made only
9 when the balance remaining in one or more such line item
10 appropriations is insufficient for the purpose for which the
11 appropriation was made and provided that no such transfer may
12 be made unless the amount transferred is no longer required for
13 the purpose for which that appropriation was made.

14 During State fiscal years ~~year~~ 2010 and 2011 only, the
15 Department of Healthcare and Family Services is authorized to
16 make transfers not exceeding 4% of the aggregate amount
17 appropriated to it, within the same treasury fund, among the
18 various line items appropriated for Medical Assistance.

19 (c) The sum of such transfers for an agency in a fiscal
20 year shall not exceed 2% of the aggregate amount appropriated
21 to it within the same treasury fund for the following objects:
22 Personal Services; Extra Help; Student and Inmate
23 Compensation; State Contributions to Retirement Systems; State
24 Contributions to Social Security; State Contribution for
25 Employee Group Insurance; Contractual Services; Travel;
26 Commodities; Printing; Equipment; Electronic Data Processing;

1 Operation of Automotive Equipment; Telecommunications
2 Services; Travel and Allowance for Committed, Paroled and
3 Discharged Prisoners; Library Books; Federal Matching Grants
4 for Student Loans; Refunds; Workers' Compensation,
5 Occupational Disease, and Tort Claims; and, in appropriations
6 to institutions of higher education, Awards and Grants.
7 Notwithstanding the above, any amounts appropriated for
8 payment of workers' compensation claims to an agency to which
9 the authority to evaluate, administer and pay such claims has
10 been delegated by the Department of Central Management Services
11 may be transferred to any other expenditure object where such
12 amounts exceed the amount necessary for the payment of such
13 claims.

14 (c-1) Special provisions for State fiscal year 2003.
15 Notwithstanding any other provision of this Section to the
16 contrary, for State fiscal year 2003 only, transfers among line
17 item appropriations to an agency from the same treasury fund
18 may be made provided that the sum of such transfers for an
19 agency in State fiscal year 2003 shall not exceed 3% of the
20 aggregate amount appropriated to that State agency for State
21 fiscal year 2003 for the following objects: personal services,
22 except that no transfer may be approved which reduces the
23 aggregate appropriations for personal services within an
24 agency; extra help; student and inmate compensation; State
25 contributions to retirement systems; State contributions to
26 social security; State contributions for employee group

1 insurance; contractual services; travel; commodities;
2 printing; equipment; electronic data processing; operation of
3 automotive equipment; telecommunications services; travel and
4 allowance for committed, paroled, and discharged prisoners;
5 library books; federal matching grants for student loans;
6 refunds; workers' compensation, occupational disease, and tort
7 claims; and, in appropriations to institutions of higher
8 education, awards and grants.

9 (c-2) Special provisions for State fiscal year 2005.
10 Notwithstanding subsections (a), (a-2), and (c), for State
11 fiscal year 2005 only, transfers may be made among any line
12 item appropriations from the same or any other treasury fund
13 for any objects or purposes, without limitation, when the
14 balance remaining in one or more such line item appropriations
15 is insufficient for the purpose for which the appropriation was
16 made, provided that the sum of those transfers by a State
17 agency shall not exceed 4% of the aggregate amount appropriated
18 to that State agency for fiscal year 2005.

19 (d) Transfers among appropriations made to agencies of the
20 Legislative and Judicial departments and to the
21 constitutionally elected officers in the Executive branch
22 require the approval of the officer authorized in Section 10 of
23 this Act to approve and certify vouchers. Transfers among
24 appropriations made to the University of Illinois, Southern
25 Illinois University, Chicago State University, Eastern
26 Illinois University, Governors State University, Illinois

1 State University, Northeastern Illinois University, Northern
2 Illinois University, Western Illinois University, the Illinois
3 Mathematics and Science Academy and the Board of Higher
4 Education require the approval of the Board of Higher Education
5 and the Governor. Transfers among appropriations to all other
6 agencies require the approval of the Governor.

7 The officer responsible for approval shall certify that the
8 transfer is necessary to carry out the programs and purposes
9 for which the appropriations were made by the General Assembly
10 and shall transmit to the State Comptroller a certified copy of
11 the approval which shall set forth the specific amounts
12 transferred so that the Comptroller may change his records
13 accordingly. The Comptroller shall furnish the Governor with
14 information copies of all transfers approved for agencies of
15 the Legislative and Judicial departments and transfers
16 approved by the constitutionally elected officials of the
17 Executive branch other than the Governor, showing the amounts
18 transferred and indicating the dates such changes were entered
19 on the Comptroller's records.

20 (e) The State Board of Education, in consultation with the
21 State Comptroller, may transfer line item appropriations for
22 General State Aid between ~~from~~ the Common School Fund and ~~to~~
23 the Education Assistance Fund. With the advice and consent of
24 the Governor's Office of Management and Budget, the State Board
25 of Education, in consultation with the State Comptroller, may
26 transfer line item appropriations between the General Revenue

1 Fund and the Education Assistance Fund for the following
2 programs:

3 (1) Disabled Student Personnel Reimbursement (Section
4 14-13.01 of the School Code);

5 (2) Disabled Student Transportation Reimbursement
6 (subsection (b) of Section 14-13.01 of the School Code);

7 (3) Disabled Student Tuition - Private Tuition
8 (Section 14-7.02 of the School Code);

9 (4) Extraordinary Special Education (Section 14-7.02b
10 of the School Code);

11 (5) Reimbursement for Free Lunch/Breakfast Programs;

12 (6) Summer School Payments (Section 18-4.3 of the
13 School Code);

14 (7) Transportation - Regular/Vocational Reimbursement
15 (Section 29-5 of the School Code);

16 (8) Regular Education Reimbursement (Section 18-3 of
17 the School Code); and

18 (9) Special Education Reimbursement (Section 14-7.03
19 of the School Code).

20 (Source: P.A. 95-707, eff. 1-11-08; 96-37, eff. 7-13-09;
21 96-820, eff. 11-18-09.)

22 Section 5-32. The State Prompt Payment Act is amended by
23 changing Section 3-2 and by adding Section 3-2.1 as follows:

24 (30 ILCS 540/3-2)

1 Sec. 3-2. Beginning July 1, 1993, in any instance where a
2 State official or agency is late in payment of a vendor's bill
3 or invoice for goods or services furnished to the State, as
4 defined in Section 1, properly approved in accordance with
5 rules promulgated under Section 3-3, the State official or
6 agency shall pay interest to the vendor in accordance with the
7 following:

8 (1) Any bill, except a bill submitted under Article V
9 of the Illinois Public Aid Code, approved for payment under
10 this Section must be paid or the payment issued to the
11 payee within 60 days of receipt of a proper bill or
12 invoice. If payment is not issued to the payee within this
13 60 day period, an interest penalty of 1.0% of any amount
14 approved and unpaid shall be added for each month or
15 fraction thereof after the end of this 60 day period, until
16 final payment is made. Any bill submitted under Article V
17 of the Illinois Public Aid Code approved for payment under
18 this Section must be paid or the payment issued to the
19 payee within 60 days after receipt of a proper bill or
20 invoice, and, if payment is not issued to the payee within
21 this 60-day period, an interest penalty of 2.0% of any
22 amount approved and unpaid shall be added for each month or
23 fraction thereof after the end of this 60-day period, until
24 final payment is made.

25 (1.1) A State agency shall review in a timely manner
26 each bill or invoice after its receipt. If the State agency

1 determines that the bill or invoice contains a defect
2 making it unable to process the payment request, the agency
3 shall notify the vendor requesting payment as soon as
4 possible after discovering the defect pursuant to rules
5 promulgated under Section 3-3; provided, however, that the
6 notice for construction related bills or invoices must be
7 given not later than 30 days after the bill or invoice was
8 first submitted. The notice shall identify the defect and
9 any additional information necessary to correct the
10 defect. If one or more items on a construction related bill
11 or invoice are disapproved, but not the entire bill or
12 invoice, then the portion that is not disapproved shall be
13 paid.

14 (2) Where a State official or agency is late in payment
15 of a vendor's bill or invoice properly approved in
16 accordance with this Act, and different late payment terms
17 are not reduced to writing as a contractual agreement, the
18 State official or agency shall automatically pay interest
19 penalties required by this Section amounting to \$50 or more
20 to the appropriate vendor. Each agency shall be responsible
21 for determining whether an interest penalty is owed and for
22 paying the interest to the vendor. Interest due to a vendor
23 that amounts to less than \$50 shall not be paid but shall
24 be accrued until all interest due the vendor for all
25 similar warrants exceeds \$50, at which time the accrued
26 interest shall be payable and interest will begin accruing

1 again, except that interest accrued as of the end of the
2 fiscal year that does not exceed \$50 shall be payable at
3 that time. In the event an individual has paid a vendor for
4 services in advance, the provisions of this Section shall
5 apply until payment is made to that individual.

6 (Source: P.A. 96-555, eff. 8-18-09; 96-802, eff. 1-1-10;
7 revised 11-25-09.)

8 (30 ILCS 540/3-2.1 new)

9 Sec. 3-2.1. Interest penalty report. The State
10 Comptroller, in conjunction with the Department of Central
11 Management Services, shall submit a report to the General
12 Assembly no later than January 31, 2011. The report shall
13 include the following information, which shall be broken down
14 by State agency and vendor:

15 (1) the number and total dollar amount of interest
16 penalty payment vouchers submitted to the Comptroller's
17 office on or after August 18, 2009 and before January 1,
18 2011 for interest payments of less than \$5;

19 (2) the number and total dollar amount of interest
20 penalty payment vouchers submitted to the Comptroller's
21 office on or after August 18, 2009 and before January 1,
22 2011 for interest payments of at least \$5 but less than
23 \$50; the report shall indicate the number and total dollar
24 amount of (i) those paid automatically and (ii) those
25 initiated by written request of the vendor; and

1 (3) the aggregate cost of processing the interest
2 penalty payment vouchers referenced in items (1) and (2).

3 The report shall also include recommendations regarding
4 establishing a minimum threshold for payment of interest
5 penalties to vendors and increased efficiencies, including,
6 but not limited to, consolidation of multiple payments to the
7 same vendor.

8 Section 5-35. The Illinois Income Tax Act is amended by
9 changing Section 901 as follows:

10 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

11 Sec. 901. Collection Authority.

12 (a) In general.

13 The Department shall collect the taxes imposed by this Act.
14 The Department shall collect certified past due child support
15 amounts under Section 2505-650 of the Department of Revenue Law
16 (20 ILCS 2505/2505-650). Except as provided in subsections (c)
17 and (e) of this Section, money collected pursuant to
18 subsections (a) and (b) of Section 201 of this Act shall be
19 paid into the General Revenue Fund in the State treasury; money
20 collected pursuant to subsections (c) and (d) of Section 201 of
21 this Act shall be paid into the Personal Property Tax
22 Replacement Fund, a special fund in the State Treasury; and
23 money collected under Section 2505-650 of the Department of
24 Revenue Law (20 ILCS 2505/2505-650) shall be paid into the

1 Child Support Enforcement Trust Fund, a special fund outside
2 the State Treasury, or to the State Disbursement Unit
3 established under Section 10-26 of the Illinois Public Aid
4 Code, as directed by the Department of Healthcare and Family
5 Services.

6 (b) Local Government Distributive Fund.

7 Beginning August 1, 1969, and continuing through June 30,
8 1994, the Treasurer shall transfer each month from the General
9 Revenue Fund to a special fund in the State treasury, to be
10 known as the "Local Government Distributive Fund", an amount
11 equal to 1/12 of the net revenue realized from the tax imposed
12 by subsections (a) and (b) of Section 201 of this Act during
13 the preceding month. Beginning July 1, 1994, and continuing
14 through June 30, 1995, the Treasurer shall transfer each month
15 from the General Revenue Fund to the Local Government
16 Distributive Fund an amount equal to 1/11 of the net revenue
17 realized from the tax imposed by subsections (a) and (b) of
18 Section 201 of this Act during the preceding month. Beginning
19 July 1, 1995, the Treasurer shall transfer each month from the
20 General Revenue Fund to the Local Government Distributive Fund
21 an amount equal to the net of (i) 1/10 of the net revenue
22 realized from the tax imposed by subsections (a) and (b) of
23 Section 201 of the Illinois Income Tax Act during the preceding
24 month (ii) minus, beginning July 1, 2003 and ending June 30,
25 2004, \$6,666,666, and beginning July 1, 2004, zero. Net revenue
26 realized for a month shall be defined as the revenue from the

1 tax imposed by subsections (a) and (b) of Section 201 of this
2 Act which is deposited in the General Revenue Fund, the
3 Educational Assistance Fund and the Income Tax Surcharge Local
4 Government Distributive Fund during the month minus the amount
5 paid out of the General Revenue Fund in State warrants during
6 that same month as refunds to taxpayers for overpayment of
7 liability under the tax imposed by subsections (a) and (b) of
8 Section 201 of this Act.

9 (c) Deposits Into Income Tax Refund Fund.

10 (1) Beginning on January 1, 1989 and thereafter, the
11 Department shall deposit a percentage of the amounts
12 collected pursuant to subsections (a) and (b)(1), (2), and
13 (3), of Section 201 of this Act into a fund in the State
14 treasury known as the Income Tax Refund Fund. The
15 Department shall deposit 6% of such amounts during the
16 period beginning January 1, 1989 and ending on June 30,
17 1989. Beginning with State fiscal year 1990 and for each
18 fiscal year thereafter, the percentage deposited into the
19 Income Tax Refund Fund during a fiscal year shall be the
20 Annual Percentage. For fiscal years 1999 through 2001, the
21 Annual Percentage shall be 7.1%. For fiscal year 2003, the
22 Annual Percentage shall be 8%. For fiscal year 2004, the
23 Annual Percentage shall be 11.7%. Upon the effective date
24 of this amendatory Act of the 93rd General Assembly, the
25 Annual Percentage shall be 10% for fiscal year 2005. For
26 fiscal year 2006, the Annual Percentage shall be 9.75%. For

1 fiscal year 2007, the Annual Percentage shall be 9.75%. For
2 fiscal year 2008, the Annual Percentage shall be 7.75%. For
3 fiscal year 2009, the Annual Percentage shall be 9.75%. For
4 fiscal year 2010, the Annual Percentage shall be 9.75%. For
5 fiscal year 2011, the Annual Percentage shall be 8.75%. For
6 all other fiscal years, the Annual Percentage shall be
7 calculated as a fraction, the numerator of which shall be
8 the amount of refunds approved for payment by the
9 Department during the preceding fiscal year as a result of
10 overpayment of tax liability under subsections (a) and
11 (b) (1), (2), and (3) of Section 201 of this Act plus the
12 amount of such refunds remaining approved but unpaid at the
13 end of the preceding fiscal year, minus the amounts
14 transferred into the Income Tax Refund Fund from the
15 Tobacco Settlement Recovery Fund, and the denominator of
16 which shall be the amounts which will be collected pursuant
17 to subsections (a) and (b) (1), (2), and (3) of Section 201
18 of this Act during the preceding fiscal year; except that
19 in State fiscal year 2002, the Annual Percentage shall in
20 no event exceed 7.6%. The Director of Revenue shall certify
21 the Annual Percentage to the Comptroller on the last
22 business day of the fiscal year immediately preceding the
23 fiscal year for which it is to be effective.

24 (2) Beginning on January 1, 1989 and thereafter, the
25 Department shall deposit a percentage of the amounts
26 collected pursuant to subsections (a) and (b) (6), (7), and

1 (8), (c) and (d) of Section 201 of this Act into a fund in
2 the State treasury known as the Income Tax Refund Fund. The
3 Department shall deposit 18% of such amounts during the
4 period beginning January 1, 1989 and ending on June 30,
5 1989. Beginning with State fiscal year 1990 and for each
6 fiscal year thereafter, the percentage deposited into the
7 Income Tax Refund Fund during a fiscal year shall be the
8 Annual Percentage. For fiscal years 1999, 2000, and 2001,
9 the Annual Percentage shall be 19%. For fiscal year 2003,
10 the Annual Percentage shall be 27%. For fiscal year 2004,
11 the Annual Percentage shall be 32%. Upon the effective date
12 of this amendatory Act of the 93rd General Assembly, the
13 Annual Percentage shall be 24% for fiscal year 2005. For
14 fiscal year 2006, the Annual Percentage shall be 20%. For
15 fiscal year 2007, the Annual Percentage shall be 17.5%. For
16 fiscal year 2008, the Annual Percentage shall be 15.5%. For
17 fiscal year 2009, the Annual Percentage shall be 17.5%. For
18 fiscal year 2010, the Annual Percentage shall be 17.5%. For
19 fiscal year 2011, the Annual Percentage shall be 17.5%. For
20 all other fiscal years, the Annual Percentage shall be
21 calculated as a fraction, the numerator of which shall be
22 the amount of refunds approved for payment by the
23 Department during the preceding fiscal year as a result of
24 overpayment of tax liability under subsections (a) and
25 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
26 Act plus the amount of such refunds remaining approved but

1 unpaid at the end of the preceding fiscal year, and the
2 denominator of which shall be the amounts which will be
3 collected pursuant to subsections (a) and (b)(6), (7), and
4 (8), (c) and (d) of Section 201 of this Act during the
5 preceding fiscal year; except that in State fiscal year
6 2002, the Annual Percentage shall in no event exceed 23%.
7 The Director of Revenue shall certify the Annual Percentage
8 to the Comptroller on the last business day of the fiscal
9 year immediately preceding the fiscal year for which it is
10 to be effective.

11 (3) The Comptroller shall order transferred and the
12 Treasurer shall transfer from the Tobacco Settlement
13 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
14 in January, 2001, (ii) \$35,000,000 in January, 2002, and
15 (iii) \$35,000,000 in January, 2003.

16 (d) Expenditures from Income Tax Refund Fund.

17 (1) Beginning January 1, 1989, money in the Income Tax
18 Refund Fund shall be expended exclusively for the purpose
19 of paying refunds resulting from overpayment of tax
20 liability under Section 201 of this Act, for paying rebates
21 under Section 208.1 in the event that the amounts in the
22 Homeowners' Tax Relief Fund are insufficient for that
23 purpose, and for making transfers pursuant to this
24 subsection (d).

25 (2) The Director shall order payment of refunds
26 resulting from overpayment of tax liability under Section

1 201 of this Act from the Income Tax Refund Fund only to the
2 extent that amounts collected pursuant to Section 201 of
3 this Act and transfers pursuant to this subsection (d) and
4 item (3) of subsection (c) have been deposited and retained
5 in the Fund.

6 (3) As soon as possible after the end of each fiscal
7 year, the Director shall order transferred and the State
8 Treasurer and State Comptroller shall transfer from the
9 Income Tax Refund Fund to the Personal Property Tax
10 Replacement Fund an amount, certified by the Director to
11 the Comptroller, equal to the excess of the amount
12 collected pursuant to subsections (c) and (d) of Section
13 201 of this Act deposited into the Income Tax Refund Fund
14 during the fiscal year over the amount of refunds resulting
15 from overpayment of tax liability under subsections (c) and
16 (d) of Section 201 of this Act paid from the Income Tax
17 Refund Fund during the fiscal year.

18 (4) As soon as possible after the end of each fiscal
19 year, the Director shall order transferred and the State
20 Treasurer and State Comptroller shall transfer from the
21 Personal Property Tax Replacement Fund to the Income Tax
22 Refund Fund an amount, certified by the Director to the
23 Comptroller, equal to the excess of the amount of refunds
24 resulting from overpayment of tax liability under
25 subsections (c) and (d) of Section 201 of this Act paid
26 from the Income Tax Refund Fund during the fiscal year over

1 the amount collected pursuant to subsections (c) and (d) of
2 Section 201 of this Act deposited into the Income Tax
3 Refund Fund during the fiscal year.

4 (4.5) As soon as possible after the end of fiscal year
5 1999 and of each fiscal year thereafter, the Director shall
6 order transferred and the State Treasurer and State
7 Comptroller shall transfer from the Income Tax Refund Fund
8 to the General Revenue Fund any surplus remaining in the
9 Income Tax Refund Fund as of the end of such fiscal year;
10 excluding for fiscal years 2000, 2001, and 2002 amounts
11 attributable to transfers under item (3) of subsection (c)
12 less refunds resulting from the earned income tax credit.

13 (5) This Act shall constitute an irrevocable and
14 continuing appropriation from the Income Tax Refund Fund
15 for the purpose of paying refunds upon the order of the
16 Director in accordance with the provisions of this Section.

17 (e) Deposits into the Education Assistance Fund and the
18 Income Tax Surcharge Local Government Distributive Fund.

19 On July 1, 1991, and thereafter, of the amounts collected
20 pursuant to subsections (a) and (b) of Section 201 of this Act,
21 minus deposits into the Income Tax Refund Fund, the Department
22 shall deposit 7.3% into the Education Assistance Fund in the
23 State Treasury. Beginning July 1, 1991, and continuing through
24 January 31, 1993, of the amounts collected pursuant to
25 subsections (a) and (b) of Section 201 of the Illinois Income
26 Tax Act, minus deposits into the Income Tax Refund Fund, the

1 Department shall deposit 3.0% into the Income Tax Surcharge
2 Local Government Distributive Fund in the State Treasury.
3 Beginning February 1, 1993 and continuing through June 30,
4 1993, of the amounts collected pursuant to subsections (a) and
5 (b) of Section 201 of the Illinois Income Tax Act, minus
6 deposits into the Income Tax Refund Fund, the Department shall
7 deposit 4.4% into the Income Tax Surcharge Local Government
8 Distributive Fund in the State Treasury. Beginning July 1,
9 1993, and continuing through June 30, 1994, of the amounts
10 collected under subsections (a) and (b) of Section 201 of this
11 Act, minus deposits into the Income Tax Refund Fund, the
12 Department shall deposit 1.475% into the Income Tax Surcharge
13 Local Government Distributive Fund in the State Treasury.
14 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;
15 96-45, eff. 7-15-09; 96-328, eff. 8-11-09.)

16 Section 5-40. The Motor Fuel Tax Law is amended by changing
17 Section 8 as follows:

18 (35 ILCS 505/8) (from Ch. 120, par. 424)

19 Sec. 8. Except as provided in Section 8a, subdivision
20 (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and
21 16 of Section 15, all money received by the Department under
22 this Act, including payments made to the Department by member
23 jurisdictions participating in the International Fuel Tax
24 Agreement, shall be deposited in a special fund in the State

1 treasury, to be known as the "Motor Fuel Tax Fund", and shall
2 be used as follows:

3 (a) 2 1/2 cents per gallon of the tax collected on special
4 fuel under paragraph (b) of Section 2 and Section 13a of this
5 Act shall be transferred to the State Construction Account Fund
6 in the State Treasury;

7 (b) \$420,000 shall be transferred each month to the State
8 Boating Act Fund to be used by the Department of Natural
9 Resources for the purposes specified in Article X of the Boat
10 Registration and Safety Act;

11 (c) \$3,500,000 shall be transferred each month to the Grade
12 Crossing Protection Fund to be used as follows: not less than
13 \$12,000,000 each fiscal year shall be used for the construction
14 or reconstruction of rail highway grade separation structures;
15 \$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in
16 fiscal year 2010 and each fiscal year thereafter shall be
17 transferred to the Transportation Regulatory Fund and shall be
18 accounted for as part of the rail carrier portion of such funds
19 and shall be used to pay the cost of administration of the
20 Illinois Commerce Commission's railroad safety program in
21 connection with its duties under subsection (3) of Section
22 18c-7401 of the Illinois Vehicle Code, with the remainder to be
23 used by the Department of Transportation upon order of the
24 Illinois Commerce Commission, to pay that part of the cost
25 apportioned by such Commission to the State to cover the
26 interest of the public in the use of highways, roads, streets,

1 or pedestrian walkways in the county highway system, township
2 and district road system, or municipal street system as defined
3 in the Illinois Highway Code, as the same may from time to time
4 be amended, for separation of grades, for installation,
5 construction or reconstruction of crossing protection or
6 reconstruction, alteration, relocation including construction
7 or improvement of any existing highway necessary for access to
8 property or improvement of any grade crossing and grade
9 crossing surface including the necessary highway approaches
10 thereto of any railroad across the highway or public road, or
11 for the installation, construction, reconstruction, or
12 maintenance of a pedestrian walkway over or under a railroad
13 right-of-way, as provided for in and in accordance with Section
14 18c-7401 of the Illinois Vehicle Code. The Commission may order
15 up to \$2,000,000 per year in Grade Crossing Protection Fund
16 moneys for the improvement of grade crossing surfaces and up to
17 \$300,000 per year for the maintenance and renewal of 4-quadrant
18 gate vehicle detection systems located at non-high speed rail
19 grade crossings. The Commission shall not order more than
20 \$2,000,000 per year in Grade Crossing Protection Fund moneys
21 for pedestrian walkways. In entering orders for projects for
22 which payments from the Grade Crossing Protection Fund will be
23 made, the Commission shall account for expenditures authorized
24 by the orders on a cash rather than an accrual basis. For
25 purposes of this requirement an "accrual basis" assumes that
26 the total cost of the project is expended in the fiscal year in

1 which the order is entered, while a "cash basis" allocates the
2 cost of the project among fiscal years as expenditures are
3 actually made. To meet the requirements of this subsection, the
4 Illinois Commerce Commission shall develop annual and 5-year
5 project plans of rail crossing capital improvements that will
6 be paid for with moneys from the Grade Crossing Protection
7 Fund. The annual project plan shall identify projects for the
8 succeeding fiscal year and the 5-year project plan shall
9 identify projects for the 5 directly succeeding fiscal years.
10 The Commission shall submit the annual and 5-year project plans
11 for this Fund to the Governor, the President of the Senate, the
12 Senate Minority Leader, the Speaker of the House of
13 Representatives, and the Minority Leader of the House of
14 Representatives on the first Wednesday in April of each year;

15 (d) of the amount remaining after allocations provided for
16 in subsections (a), (b) and (c), a sufficient amount shall be
17 reserved to pay all of the following:

18 (1) the costs of the Department of Revenue in
19 administering this Act;

20 (2) the costs of the Department of Transportation in
21 performing its duties imposed by the Illinois Highway Code
22 for supervising the use of motor fuel tax funds apportioned
23 to municipalities, counties and road districts;

24 (3) refunds provided for in Section 13 of this Act and
25 under the terms of the International Fuel Tax Agreement
26 referenced in Section 14a;

1 (4) from October 1, 1985 until June 30, 1994, the
2 administration of the Vehicle Emissions Inspection Law,
3 which amount shall be certified monthly by the
4 Environmental Protection Agency to the State Comptroller
5 and shall promptly be transferred by the State Comptroller
6 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
7 Inspection Fund, and for the period July 1, 1994 through
8 June 30, 2000, one-twelfth of \$25,000,000 each month, for
9 the period July 1, 2000 through June 30, 2003, one-twelfth
10 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,
11 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each
12 July 1 and October 1, or as soon thereafter as may be
13 practical, during the period July 1, 2004 through June 30,
14 2011 ~~2010~~, for the administration of the Vehicle Emissions
15 Inspection Law of 2005, to be transferred by the State
16 Comptroller and Treasurer from the Motor Fuel Tax Fund into
17 the Vehicle Inspection Fund;

18 (5) amounts ordered paid by the Court of Claims; and

19 (6) payment of motor fuel use taxes due to member
20 jurisdictions under the terms of the International Fuel Tax
21 Agreement. The Department shall certify these amounts to
22 the Comptroller by the 15th day of each month; the
23 Comptroller shall cause orders to be drawn for such
24 amounts, and the Treasurer shall administer those amounts
25 on or before the last day of each month;

26 (e) after allocations for the purposes set forth in

1 subsections (a), (b), (c) and (d), the remaining amount shall
2 be apportioned as follows:

3 (1) Until January 1, 2000, 58.4%, and beginning January
4 1, 2000, 45.6% shall be deposited as follows:

5 (A) 37% into the State Construction Account Fund,
6 and

7 (B) 63% into the Road Fund, \$1,250,000 of which
8 shall be reserved each month for the Department of
9 Transportation to be used in accordance with the
10 provisions of Sections 6-901 through 6-906 of the
11 Illinois Highway Code;

12 (2) Until January 1, 2000, 41.6%, and beginning January
13 1, 2000, 54.4% shall be transferred to the Department of
14 Transportation to be distributed as follows:

15 (A) 49.10% to the municipalities of the State,

16 (B) 16.74% to the counties of the State having
17 1,000,000 or more inhabitants,

18 (C) 18.27% to the counties of the State having less
19 than 1,000,000 inhabitants,

20 (D) 15.89% to the road districts of the State.

21 As soon as may be after the first day of each month the
22 Department of Transportation shall allot to each municipality
23 its share of the amount apportioned to the several
24 municipalities which shall be in proportion to the population
25 of such municipalities as determined by the last preceding
26 municipal census if conducted by the Federal Government or

1 Federal census. If territory is annexed to any municipality
2 subsequent to the time of the last preceding census the
3 corporate authorities of such municipality may cause a census
4 to be taken of such annexed territory and the population so
5 ascertained for such territory shall be added to the population
6 of the municipality as determined by the last preceding census
7 for the purpose of determining the allotment for that
8 municipality. If the population of any municipality was not
9 determined by the last Federal census preceding any
10 apportionment, the apportionment to such municipality shall be
11 in accordance with any census taken by such municipality. Any
12 municipal census used in accordance with this Section shall be
13 certified to the Department of Transportation by the clerk of
14 such municipality, and the accuracy thereof shall be subject to
15 approval of the Department which may make such corrections as
16 it ascertains to be necessary.

17 As soon as may be after the first day of each month the
18 Department of Transportation shall allot to each county its
19 share of the amount apportioned to the several counties of the
20 State as herein provided. Each allotment to the several
21 counties having less than 1,000,000 inhabitants shall be in
22 proportion to the amount of motor vehicle license fees received
23 from the residents of such counties, respectively, during the
24 preceding calendar year. The Secretary of State shall, on or
25 before April 15 of each year, transmit to the Department of
26 Transportation a full and complete report showing the amount of

1 motor vehicle license fees received from the residents of each
2 county, respectively, during the preceding calendar year. The
3 Department of Transportation shall, each month, use for
4 allotment purposes the last such report received from the
5 Secretary of State.

6 As soon as may be after the first day of each month, the
7 Department of Transportation shall allot to the several
8 counties their share of the amount apportioned for the use of
9 road districts. The allotment shall be apportioned among the
10 several counties in the State in the proportion which the total
11 mileage of township or district roads in the respective
12 counties bears to the total mileage of all township and
13 district roads in the State. Funds allotted to the respective
14 counties for the use of road districts therein shall be
15 allocated to the several road districts in the county in the
16 proportion which the total mileage of such township or district
17 roads in the respective road districts bears to the total
18 mileage of all such township or district roads in the county.
19 After July 1 of any year, no allocation shall be made for any
20 road district unless it levied a tax for road and bridge
21 purposes in an amount which will require the extension of such
22 tax against the taxable property in any such road district at a
23 rate of not less than either .08% of the value thereof, based
24 upon the assessment for the year immediately prior to the year
25 in which such tax was levied and as equalized by the Department
26 of Revenue or, in DuPage County, an amount equal to or greater

1 than \$12,000 per mile of road under the jurisdiction of the
2 road district, whichever is less. If any road district has
3 levied a special tax for road purposes pursuant to Sections
4 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such
5 tax was levied in an amount which would require extension at a
6 rate of not less than .08% of the value of the taxable property
7 thereof, as equalized or assessed by the Department of Revenue,
8 or, in DuPage County, an amount equal to or greater than
9 \$12,000 per mile of road under the jurisdiction of the road
10 district, whichever is less, such levy shall, however, be
11 deemed a proper compliance with this Section and shall qualify
12 such road district for an allotment under this Section. If a
13 township has transferred to the road and bridge fund money
14 which, when added to the amount of any tax levy of the road
15 district would be the equivalent of a tax levy requiring
16 extension at a rate of at least .08%, or, in DuPage County, an
17 amount equal to or greater than \$12,000 per mile of road under
18 the jurisdiction of the road district, whichever is less, such
19 transfer, together with any such tax levy, shall be deemed a
20 proper compliance with this Section and shall qualify the road
21 district for an allotment under this Section.

22 In counties in which a property tax extension limitation is
23 imposed under the Property Tax Extension Limitation Law, road
24 districts may retain their entitlement to a motor fuel tax
25 allotment if, at the time the property tax extension limitation
26 was imposed, the road district was levying a road and bridge

1 tax at a rate sufficient to entitle it to a motor fuel tax
2 allotment and continues to levy the maximum allowable amount
3 after the imposition of the property tax extension limitation.
4 Any road district may in all circumstances retain its
5 entitlement to a motor fuel tax allotment if it levied a road
6 and bridge tax in an amount that will require the extension of
7 the tax against the taxable property in the road district at a
8 rate of not less than 0.08% of the assessed value of the
9 property, based upon the assessment for the year immediately
10 preceding the year in which the tax was levied and as equalized
11 by the Department of Revenue or, in DuPage County, an amount
12 equal to or greater than \$12,000 per mile of road under the
13 jurisdiction of the road district, whichever is less.

14 As used in this Section the term "road district" means any
15 road district, including a county unit road district, provided
16 for by the Illinois Highway Code; and the term "township or
17 district road" means any road in the township and district road
18 system as defined in the Illinois Highway Code. For the
19 purposes of this Section, "road district" also includes park
20 districts, forest preserve districts and conservation
21 districts organized under Illinois law and "township or
22 district road" also includes such roads as are maintained by
23 park districts, forest preserve districts and conservation
24 districts. The Department of Transportation shall determine
25 the mileage of all township and district roads for the purposes
26 of making allotments and allocations of motor fuel tax funds

1 for use in road districts.

2 Payment of motor fuel tax moneys to municipalities and
3 counties shall be made as soon as possible after the allotment
4 is made. The treasurer of the municipality or county may invest
5 these funds until their use is required and the interest earned
6 by these investments shall be limited to the same uses as the
7 principal funds.

8 (Source: P.A. 95-744, eff. 7-18-08; 96-34, eff. 7-13-09; 96-45,
9 eff. 7-15-09; revised 11-3-09.)

10 Section 5-47. The School Code is amended by changing
11 Section 18-8.05 as follows:

12 (105 ILCS 5/18-8.05)

13 Sec. 18-8.05. Basis for apportionment of general State
14 financial aid and supplemental general State aid to the common
15 schools for the 1998-1999 and subsequent school years.

16 (A) General Provisions.

17 (1) The provisions of this Section apply to the 1998-1999
18 and subsequent school years. The system of general State
19 financial aid provided for in this Section is designed to
20 assure that, through a combination of State financial aid and
21 required local resources, the financial support provided each
22 pupil in Average Daily Attendance equals or exceeds a
23 prescribed per pupil Foundation Level. This formula approach

1 imputes a level of per pupil Available Local Resources and
2 provides for the basis to calculate a per pupil level of
3 general State financial aid that, when added to Available Local
4 Resources, equals or exceeds the Foundation Level. The amount
5 of per pupil general State financial aid for school districts,
6 in general, varies in inverse relation to Available Local
7 Resources. Per pupil amounts are based upon each school
8 district's Average Daily Attendance as that term is defined in
9 this Section.

10 (2) In addition to general State financial aid, school
11 districts with specified levels or concentrations of pupils
12 from low income households are eligible to receive supplemental
13 general State financial aid grants as provided pursuant to
14 subsection (H). The supplemental State aid grants provided for
15 school districts under subsection (H) shall be appropriated for
16 distribution to school districts as part of the same line item
17 in which the general State financial aid of school districts is
18 appropriated under this Section.

19 (3) To receive financial assistance under this Section,
20 school districts are required to file claims with the State
21 Board of Education, subject to the following requirements:

22 (a) Any school district which fails for any given
23 school year to maintain school as required by law, or to
24 maintain a recognized school is not eligible to file for
25 such school year any claim upon the Common School Fund. In
26 case of nonrecognition of one or more attendance centers in

1 a school district otherwise operating recognized schools,
2 the claim of the district shall be reduced in the
3 proportion which the Average Daily Attendance in the
4 attendance center or centers bear to the Average Daily
5 Attendance in the school district. A "recognized school"
6 means any public school which meets the standards as
7 established for recognition by the State Board of
8 Education. A school district or attendance center not
9 having recognition status at the end of a school term is
10 entitled to receive State aid payments due upon a legal
11 claim which was filed while it was recognized.

12 (b) School district claims filed under this Section are
13 subject to Sections 18-9 and 18-12, except as otherwise
14 provided in this Section.

15 (c) If a school district operates a full year school
16 under Section 10-19.1, the general State aid to the school
17 district shall be determined by the State Board of
18 Education in accordance with this Section as near as may be
19 applicable.

20 (d) (Blank).

21 (4) Except as provided in subsections (H) and (L), the
22 board of any district receiving any of the grants provided for
23 in this Section may apply those funds to any fund so received
24 for which that board is authorized to make expenditures by law.

25 School districts are not required to exert a minimum
26 Operating Tax Rate in order to qualify for assistance under

1 this Section.

2 (5) As used in this Section the following terms, when
3 capitalized, shall have the meaning ascribed herein:

4 (a) "Average Daily Attendance": A count of pupil
5 attendance in school, averaged as provided for in
6 subsection (C) and utilized in deriving per pupil financial
7 support levels.

8 (b) "Available Local Resources": A computation of
9 local financial support, calculated on the basis of Average
10 Daily Attendance and derived as provided pursuant to
11 subsection (D).

12 (c) "Corporate Personal Property Replacement Taxes":
13 Funds paid to local school districts pursuant to "An Act in
14 relation to the abolition of ad valorem personal property
15 tax and the replacement of revenues lost thereby, and
16 amending and repealing certain Acts and parts of Acts in
17 connection therewith", certified August 14, 1979, as
18 amended (Public Act 81-1st S.S.-1).

19 (d) "Foundation Level": A prescribed level of per pupil
20 financial support as provided for in subsection (B).

21 (e) "Operating Tax Rate": All school district property
22 taxes extended for all purposes, except Bond and Interest,
23 Summer School, Rent, Capital Improvement, and Vocational
24 Education Building purposes.

25 (B) Foundation Level.

1 (1) The Foundation Level is a figure established by the
2 State representing the minimum level of per pupil financial
3 support that should be available to provide for the basic
4 education of each pupil in Average Daily Attendance. As set
5 forth in this Section, each school district is assumed to exert
6 a sufficient local taxing effort such that, in combination with
7 the aggregate of general State financial aid provided the
8 district, an aggregate of State and local resources are
9 available to meet the basic education needs of pupils in the
10 district.

11 (2) For the 1998-1999 school year, the Foundation Level of
12 support is \$4,225. For the 1999-2000 school year, the
13 Foundation Level of support is \$4,325. For the 2000-2001 school
14 year, the Foundation Level of support is \$4,425. For the
15 2001-2002 school year and 2002-2003 school year, the Foundation
16 Level of support is \$4,560. For the 2003-2004 school year, the
17 Foundation Level of support is \$4,810. For the 2004-2005 school
18 year, the Foundation Level of support is \$4,964. For the
19 2005-2006 school year, the Foundation Level of support is
20 \$5,164. For the 2006-2007 school year, the Foundation Level of
21 support is \$5,334. For the 2007-2008 school year, the
22 Foundation Level of support is \$5,734. For the 2008-2009 school
23 year, the Foundation Level of support is \$5,959.

24 (3) For the 2009-2010 school year and each school year
25 thereafter, the Foundation Level of support is \$6,119 or such
26 greater amount as may be established by law by the General

1 Assembly.

2 (C) Average Daily Attendance.

3 (1) For purposes of calculating general State aid pursuant
4 to subsection (E), an Average Daily Attendance figure shall be
5 utilized. The Average Daily Attendance figure for formula
6 calculation purposes shall be the monthly average of the actual
7 number of pupils in attendance of each school district, as
8 further averaged for the best 3 months of pupil attendance for
9 each school district. In compiling the figures for the number
10 of pupils in attendance, school districts and the State Board
11 of Education shall, for purposes of general State aid funding,
12 conform attendance figures to the requirements of subsection
13 (F).

14 (2) The Average Daily Attendance figures utilized in
15 subsection (E) shall be the requisite attendance data for the
16 school year immediately preceding the school year for which
17 general State aid is being calculated or the average of the
18 attendance data for the 3 preceding school years, whichever is
19 greater. The Average Daily Attendance figures utilized in
20 subsection (H) shall be the requisite attendance data for the
21 school year immediately preceding the school year for which
22 general State aid is being calculated.

23 (D) Available Local Resources.

24 (1) For purposes of calculating general State aid pursuant

1 to subsection (E), a representation of Available Local
2 Resources per pupil, as that term is defined and determined in
3 this subsection, shall be utilized. Available Local Resources
4 per pupil shall include a calculated dollar amount representing
5 local school district revenues from local property taxes and
6 from Corporate Personal Property Replacement Taxes, expressed
7 on the basis of pupils in Average Daily Attendance. Calculation
8 of Available Local Resources shall exclude any tax amnesty
9 funds received as a result of Public Act 93-26.

10 (2) In determining a school district's revenue from local
11 property taxes, the State Board of Education shall utilize the
12 equalized assessed valuation of all taxable property of each
13 school district as of September 30 of the previous year. The
14 equalized assessed valuation utilized shall be obtained and
15 determined as provided in subsection (G).

16 (3) For school districts maintaining grades kindergarten
17 through 12, local property tax revenues per pupil shall be
18 calculated as the product of the applicable equalized assessed
19 valuation for the district multiplied by 3.00%, and divided by
20 the district's Average Daily Attendance figure. For school
21 districts maintaining grades kindergarten through 8, local
22 property tax revenues per pupil shall be calculated as the
23 product of the applicable equalized assessed valuation for the
24 district multiplied by 2.30%, and divided by the district's
25 Average Daily Attendance figure. For school districts
26 maintaining grades 9 through 12, local property tax revenues

1 per pupil shall be the applicable equalized assessed valuation
2 of the district multiplied by 1.05%, and divided by the
3 district's Average Daily Attendance figure.

4 For partial elementary unit districts created pursuant to
5 Article 11E of this Code, local property tax revenues per pupil
6 shall be calculated as the product of the equalized assessed
7 valuation for property within the partial elementary unit
8 district for elementary purposes, as defined in Article 11E of
9 this Code, multiplied by 2.06% and divided by the district's
10 Average Daily Attendance figure, plus the product of the
11 equalized assessed valuation for property within the partial
12 elementary unit district for high school purposes, as defined
13 in Article 11E of this Code, multiplied by 0.94% and divided by
14 the district's Average Daily Attendance figure.

15 (4) The Corporate Personal Property Replacement Taxes paid
16 to each school district during the calendar year one year
17 before the calendar year in which a school year begins, divided
18 by the Average Daily Attendance figure for that district, shall
19 be added to the local property tax revenues per pupil as
20 derived by the application of the immediately preceding
21 paragraph (3). The sum of these per pupil figures for each
22 school district shall constitute Available Local Resources as
23 that term is utilized in subsection (E) in the calculation of
24 general State aid.

25 (E) Computation of General State Aid.

1 (1) For each school year, the amount of general State aid
2 allotted to a school district shall be computed by the State
3 Board of Education as provided in this subsection.

4 (2) For any school district for which Available Local
5 Resources per pupil is less than the product of 0.93 times the
6 Foundation Level, general State aid for that district shall be
7 calculated as an amount equal to the Foundation Level minus
8 Available Local Resources, multiplied by the Average Daily
9 Attendance of the school district.

10 (3) For any school district for which Available Local
11 Resources per pupil is equal to or greater than the product of
12 0.93 times the Foundation Level and less than the product of
13 1.75 times the Foundation Level, the general State aid per
14 pupil shall be a decimal proportion of the Foundation Level
15 derived using a linear algorithm. Under this linear algorithm,
16 the calculated general State aid per pupil shall decline in
17 direct linear fashion from 0.07 times the Foundation Level for
18 a school district with Available Local Resources equal to the
19 product of 0.93 times the Foundation Level, to 0.05 times the
20 Foundation Level for a school district with Available Local
21 Resources equal to the product of 1.75 times the Foundation
22 Level. The allocation of general State aid for school districts
23 subject to this paragraph 3 shall be the calculated general
24 State aid per pupil figure multiplied by the Average Daily
25 Attendance of the school district.

26 (4) For any school district for which Available Local

1 Resources per pupil equals or exceeds the product of 1.75 times
2 the Foundation Level, the general State aid for the school
3 district shall be calculated as the product of \$218 multiplied
4 by the Average Daily Attendance of the school district.

5 (5) The amount of general State aid allocated to a school
6 district for the 1999-2000 school year meeting the requirements
7 set forth in paragraph (4) of subsection (G) shall be increased
8 by an amount equal to the general State aid that would have
9 been received by the district for the 1998-1999 school year by
10 utilizing the Extension Limitation Equalized Assessed
11 Valuation as calculated in paragraph (4) of subsection (G) less
12 the general State aid allotted for the 1998-1999 school year.
13 This amount shall be deemed a one time increase, and shall not
14 affect any future general State aid allocations.

15 (F) Compilation of Average Daily Attendance.

16 (1) Each school district shall, by July 1 of each year,
17 submit to the State Board of Education, on forms prescribed by
18 the State Board of Education, attendance figures for the school
19 year that began in the preceding calendar year. The attendance
20 information so transmitted shall identify the average daily
21 attendance figures for each month of the school year. Beginning
22 with the general State aid claim form for the 2002-2003 school
23 year, districts shall calculate Average Daily Attendance as
24 provided in subdivisions (a), (b), and (c) of this paragraph
25 (1).

1 (a) In districts that do not hold year-round classes,
2 days of attendance in August shall be added to the month of
3 September and any days of attendance in June shall be added
4 to the month of May.

5 (b) In districts in which all buildings hold year-round
6 classes, days of attendance in July and August shall be
7 added to the month of September and any days of attendance
8 in June shall be added to the month of May.

9 (c) In districts in which some buildings, but not all,
10 hold year-round classes, for the non-year-round buildings,
11 days of attendance in August shall be added to the month of
12 September and any days of attendance in June shall be added
13 to the month of May. The average daily attendance for the
14 year-round buildings shall be computed as provided in
15 subdivision (b) of this paragraph (1). To calculate the
16 Average Daily Attendance for the district, the average
17 daily attendance for the year-round buildings shall be
18 multiplied by the days in session for the non-year-round
19 buildings for each month and added to the monthly
20 attendance of the non-year-round buildings.

21 Except as otherwise provided in this Section, days of
22 attendance by pupils shall be counted only for sessions of not
23 less than 5 clock hours of school work per day under direct
24 supervision of: (i) teachers, or (ii) non-teaching personnel or
25 volunteer personnel when engaging in non-teaching duties and
26 supervising in those instances specified in subsection (a) of

1 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
2 of legal school age and in kindergarten and grades 1 through
3 12.

4 Days of attendance by tuition pupils shall be accredited
5 only to the districts that pay the tuition to a recognized
6 school.

7 (2) Days of attendance by pupils of less than 5 clock hours
8 of school shall be subject to the following provisions in the
9 compilation of Average Daily Attendance.

10 (a) Pupils regularly enrolled in a public school for
11 only a part of the school day may be counted on the basis
12 of 1/6 day for every class hour of instruction of 40
13 minutes or more attended pursuant to such enrollment,
14 unless a pupil is enrolled in a block-schedule format of 80
15 minutes or more of instruction, in which case the pupil may
16 be counted on the basis of the proportion of minutes of
17 school work completed each day to the minimum number of
18 minutes that school work is required to be held that day.

19 (b) Days of attendance may be less than 5 clock hours
20 on the opening and closing of the school term, and upon the
21 first day of pupil attendance, if preceded by a day or days
22 utilized as an institute or teachers' workshop.

23 (c) A session of 4 or more clock hours may be counted
24 as a day of attendance upon certification by the regional
25 superintendent, and approved by the State Superintendent
26 of Education to the extent that the district has been

1 forced to use daily multiple sessions.

2 (d) A session of 3 or more clock hours may be counted
3 as a day of attendance (1) when the remainder of the school
4 day or at least 2 hours in the evening of that day is
5 utilized for an in-service training program for teachers,
6 up to a maximum of 5 days per school year, provided a
7 district conducts an in-service training program for
8 teachers in accordance with Section 10-22.39 of this Code;
9 or, in lieu of 4 such days, 2 full days may be used, in
10 which event each such day may be counted as a day required
11 for a legal school calendar pursuant to Section 10-19 of
12 this Code; (1.5) when, of the 5 days allowed under item
13 (1), a maximum of 4 days are used for parent-teacher
14 conferences, or, in lieu of 4 such days, 2 full days are
15 used, in which case each such day may be counted as a
16 calendar day required under Section 10-19 of this Code,
17 provided that the full-day, parent-teacher conference
18 consists of (i) a minimum of 5 clock hours of
19 parent-teacher conferences, (ii) both a minimum of 2 clock
20 hours of parent-teacher conferences held in the evening
21 following a full day of student attendance, as specified in
22 subsection (F)(1)(c), and a minimum of 3 clock hours of
23 parent-teacher conferences held on the day immediately
24 following evening parent-teacher conferences, or (iii)
25 multiple parent-teacher conferences held in the evenings
26 following full days of student attendance, as specified in

1 subsection (F)(1)(c), in which the time used for the
2 parent-teacher conferences is equivalent to a minimum of 5
3 clock hours; and (2) when days in addition to those
4 provided in items (1) and (1.5) are scheduled by a school
5 pursuant to its school improvement plan adopted under
6 Article 34 or its revised or amended school improvement
7 plan adopted under Article 2, provided that (i) such
8 sessions of 3 or more clock hours are scheduled to occur at
9 regular intervals, (ii) the remainder of the school days in
10 which such sessions occur are utilized for in-service
11 training programs or other staff development activities
12 for teachers, and (iii) a sufficient number of minutes of
13 school work under the direct supervision of teachers are
14 added to the school days between such regularly scheduled
15 sessions to accumulate not less than the number of minutes
16 by which such sessions of 3 or more clock hours fall short
17 of 5 clock hours. Any full days used for the purposes of
18 this paragraph shall not be considered for computing
19 average daily attendance. Days scheduled for in-service
20 training programs, staff development activities, or
21 parent-teacher conferences may be scheduled separately for
22 different grade levels and different attendance centers of
23 the district.

24 (e) A session of not less than one clock hour of
25 teaching hospitalized or homebound pupils on-site or by
26 telephone to the classroom may be counted as 1/2 day of

1 attendance, however these pupils must receive 4 or more
2 clock hours of instruction to be counted for a full day of
3 attendance.

4 (f) A session of at least 4 clock hours may be counted
5 as a day of attendance for first grade pupils, and pupils
6 in full day kindergartens, and a session of 2 or more hours
7 may be counted as 1/2 day of attendance by pupils in
8 kindergartens which provide only 1/2 day of attendance.

9 (g) For children with disabilities who are below the
10 age of 6 years and who cannot attend 2 or more clock hours
11 because of their disability or immaturity, a session of not
12 less than one clock hour may be counted as 1/2 day of
13 attendance; however for such children whose educational
14 needs so require a session of 4 or more clock hours may be
15 counted as a full day of attendance.

16 (h) A recognized kindergarten which provides for only
17 1/2 day of attendance by each pupil shall not have more
18 than 1/2 day of attendance counted in any one day. However,
19 kindergartens may count 2 1/2 days of attendance in any 5
20 consecutive school days. When a pupil attends such a
21 kindergarten for 2 half days on any one school day, the
22 pupil shall have the following day as a day absent from
23 school, unless the school district obtains permission in
24 writing from the State Superintendent of Education.
25 Attendance at kindergartens which provide for a full day of
26 attendance by each pupil shall be counted the same as

1 attendance by first grade pupils. Only the first year of
2 attendance in one kindergarten shall be counted, except in
3 case of children who entered the kindergarten in their
4 fifth year whose educational development requires a second
5 year of kindergarten as determined under the rules and
6 regulations of the State Board of Education.

7 (i) On the days when the Prairie State Achievement
8 Examination is administered under subsection (c) of
9 Section 2-3.64 of this Code, the day of attendance for a
10 pupil whose school day must be shortened to accommodate
11 required testing procedures may be less than 5 clock hours
12 and shall be counted towards the 176 days of actual pupil
13 attendance required under Section 10-19 of this Code,
14 provided that a sufficient number of minutes of school work
15 in excess of 5 clock hours are first completed on other
16 school days to compensate for the loss of school work on
17 the examination days.

18 (G) Equalized Assessed Valuation Data.

19 (1) For purposes of the calculation of Available Local
20 Resources required pursuant to subsection (D), the State Board
21 of Education shall secure from the Department of Revenue the
22 value as equalized or assessed by the Department of Revenue of
23 all taxable property of every school district, together with
24 (i) the applicable tax rate used in extending taxes for the
25 funds of the district as of September 30 of the previous year

1 and (ii) the limiting rate for all school districts subject to
2 property tax extension limitations as imposed under the
3 Property Tax Extension Limitation Law.

4 The Department of Revenue shall add to the equalized
5 assessed value of all taxable property of each school district
6 situated entirely or partially within a county that is or was
7 subject to the provisions of Section 15-176 or 15-177 of the
8 Property Tax Code (a) an amount equal to the total amount by
9 which the homestead exemption allowed under Section 15-176 or
10 15-177 of the Property Tax Code for real property situated in
11 that school district exceeds the total amount that would have
12 been allowed in that school district if the maximum reduction
13 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
14 all other counties in tax year 2003 or (ii) \$5,000 in all
15 counties in tax year 2004 and thereafter and (b) an amount
16 equal to the aggregate amount for the taxable year of all
17 additional exemptions under Section 15-175 of the Property Tax
18 Code for owners with a household income of \$30,000 or less. The
19 county clerk of any county that is or was subject to the
20 provisions of Section 15-176 or 15-177 of the Property Tax Code
21 shall annually calculate and certify to the Department of
22 Revenue for each school district all homestead exemption
23 amounts under Section 15-176 or 15-177 of the Property Tax Code
24 and all amounts of additional exemptions under Section 15-175
25 of the Property Tax Code for owners with a household income of
26 \$30,000 or less. It is the intent of this paragraph that if the

1 general homestead exemption for a parcel of property is
2 determined under Section 15-176 or 15-177 of the Property Tax
3 Code rather than Section 15-175, then the calculation of
4 Available Local Resources shall not be affected by the
5 difference, if any, between the amount of the general homestead
6 exemption allowed for that parcel of property under Section
7 15-176 or 15-177 of the Property Tax Code and the amount that
8 would have been allowed had the general homestead exemption for
9 that parcel of property been determined under Section 15-175 of
10 the Property Tax Code. It is further the intent of this
11 paragraph that if additional exemptions are allowed under
12 Section 15-175 of the Property Tax Code for owners with a
13 household income of less than \$30,000, then the calculation of
14 Available Local Resources shall not be affected by the
15 difference, if any, because of those additional exemptions.

16 This equalized assessed valuation, as adjusted further by
17 the requirements of this subsection, shall be utilized in the
18 calculation of Available Local Resources.

19 (2) The equalized assessed valuation in paragraph (1) shall
20 be adjusted, as applicable, in the following manner:

21 (a) For the purposes of calculating State aid under
22 this Section, with respect to any part of a school district
23 within a redevelopment project area in respect to which a
24 municipality has adopted tax increment allocation
25 financing pursuant to the Tax Increment Allocation
26 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11

1 of the Illinois Municipal Code or the Industrial Jobs
2 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
3 Illinois Municipal Code, no part of the current equalized
4 assessed valuation of real property located in any such
5 project area which is attributable to an increase above the
6 total initial equalized assessed valuation of such
7 property shall be used as part of the equalized assessed
8 valuation of the district, until such time as all
9 redevelopment project costs have been paid, as provided in
10 Section 11-74.4-8 of the Tax Increment Allocation
11 Redevelopment Act or in Section 11-74.6-35 of the
12 Industrial Jobs Recovery Law. For the purpose of the
13 equalized assessed valuation of the district, the total
14 initial equalized assessed valuation or the current
15 equalized assessed valuation, whichever is lower, shall be
16 used until such time as all redevelopment project costs
17 have been paid.

18 (b) The real property equalized assessed valuation for
19 a school district shall be adjusted by subtracting from the
20 real property value as equalized or assessed by the
21 Department of Revenue for the district an amount computed
22 by dividing the amount of any abatement of taxes under
23 Section 18-170 of the Property Tax Code by 3.00% for a
24 district maintaining grades kindergarten through 12, by
25 2.30% for a district maintaining grades kindergarten
26 through 8, or by 1.05% for a district maintaining grades 9

1 through 12 and adjusted by an amount computed by dividing
2 the amount of any abatement of taxes under subsection (a)
3 of Section 18-165 of the Property Tax Code by the same
4 percentage rates for district type as specified in this
5 subparagraph (b).

6 (3) For the 1999-2000 school year and each school year
7 thereafter, if a school district meets all of the criteria of
8 this subsection (G) (3), the school district's Available Local
9 Resources shall be calculated under subsection (D) using the
10 district's Extension Limitation Equalized Assessed Valuation
11 as calculated under this subsection (G) (3).

12 For purposes of this subsection (G) (3) the following terms
13 shall have the following meanings:

14 "Budget Year": The school year for which general State
15 aid is calculated and awarded under subsection (E).

16 "Base Tax Year": The property tax levy year used to
17 calculate the Budget Year allocation of general State aid.

18 "Preceding Tax Year": The property tax levy year
19 immediately preceding the Base Tax Year.

20 "Base Tax Year's Tax Extension": The product of the
21 equalized assessed valuation utilized by the County Clerk
22 in the Base Tax Year multiplied by the limiting rate as
23 calculated by the County Clerk and defined in the Property
24 Tax Extension Limitation Law.

25 "Preceding Tax Year's Tax Extension": The product of
26 the equalized assessed valuation utilized by the County

1 Clerk in the Preceding Tax Year multiplied by the Operating
2 Tax Rate as defined in subsection (A).

3 "Extension Limitation Ratio": A numerical ratio,
4 certified by the County Clerk, in which the numerator is
5 the Base Tax Year's Tax Extension and the denominator is
6 the Preceding Tax Year's Tax Extension.

7 "Operating Tax Rate": The operating tax rate as defined
8 in subsection (A).

9 If a school district is subject to property tax extension
10 limitations as imposed under the Property Tax Extension
11 Limitation Law, the State Board of Education shall calculate
12 the Extension Limitation Equalized Assessed Valuation of that
13 district. For the 1999-2000 school year, the Extension
14 Limitation Equalized Assessed Valuation of a school district as
15 calculated by the State Board of Education shall be equal to
16 the product of the district's 1996 Equalized Assessed Valuation
17 and the district's Extension Limitation Ratio. Except as
18 otherwise provided in this paragraph for a school district that
19 has approved or does approve an increase in its limiting rate,
20 for the 2000-2001 school year and each school year thereafter,
21 the Extension Limitation Equalized Assessed Valuation of a
22 school district as calculated by the State Board of Education
23 shall be equal to the product of the Equalized Assessed
24 Valuation last used in the calculation of general State aid and
25 the district's Extension Limitation Ratio. If the Extension
26 Limitation Equalized Assessed Valuation of a school district as

1 calculated under this subsection (G)(3) is less than the
2 district's equalized assessed valuation as calculated pursuant
3 to subsections (G)(1) and (G)(2), then for purposes of
4 calculating the district's general State aid for the Budget
5 Year pursuant to subsection (E), that Extension Limitation
6 Equalized Assessed Valuation shall be utilized to calculate the
7 district's Available Local Resources under subsection (D). For
8 the 2009-2010 school year and each school year thereafter, if a
9 school district has approved or does approve an increase in its
10 limiting rate, pursuant to Section 18-190 of the Property Tax
11 Code, affecting the Base Tax Year, the Extension Limitation
12 Equalized Assessed Valuation of the school district, as
13 calculated by the State Board of Education, shall be equal to
14 the product of the Equalized Assessed Valuation last used in
15 the calculation of general State aid times an amount equal to
16 one plus the percentage increase, if any, in the Consumer Price
17 Index for all Urban Consumers for all items published by the
18 United States Department of Labor for the 12-month calendar
19 year preceding the Base Tax Year, plus the Equalized Assessed
20 Valuation of new property, annexed property, and recovered tax
21 increment value and minus the Equalized Assessed Valuation of
22 disconnected property. New property and recovered tax
23 increment value shall have the meanings set forth in the
24 Property Tax Extension Limitation Law.

25 Partial elementary unit districts created in accordance
26 with Article 11E of this Code shall not be eligible for the

1 adjustment in this subsection (G)(3) until the fifth year
2 following the effective date of the reorganization.

3 (4) For the purposes of calculating general State aid for
4 the 1999-2000 school year only, if a school district
5 experienced a triennial reassessment on the equalized assessed
6 valuation used in calculating its general State financial aid
7 apportionment for the 1998-1999 school year, the State Board of
8 Education shall calculate the Extension Limitation Equalized
9 Assessed Valuation that would have been used to calculate the
10 district's 1998-1999 general State aid. This amount shall equal
11 the product of the equalized assessed valuation used to
12 calculate general State aid for the 1997-1998 school year and
13 the district's Extension Limitation Ratio. If the Extension
14 Limitation Equalized Assessed Valuation of the school district
15 as calculated under this paragraph (4) is less than the
16 district's equalized assessed valuation utilized in
17 calculating the district's 1998-1999 general State aid
18 allocation, then for purposes of calculating the district's
19 general State aid pursuant to paragraph (5) of subsection (E),
20 that Extension Limitation Equalized Assessed Valuation shall
21 be utilized to calculate the district's Available Local
22 Resources.

23 (5) For school districts having a majority of their
24 equalized assessed valuation in any county except Cook, DuPage,
25 Kane, Lake, McHenry, or Will, if the amount of general State
26 aid allocated to the school district for the 1999-2000 school

1 year under the provisions of subsection (E), (H), and (J) of
2 this Section is less than the amount of general State aid
3 allocated to the district for the 1998-1999 school year under
4 these subsections, then the general State aid of the district
5 for the 1999-2000 school year only shall be increased by the
6 difference between these amounts. The total payments made under
7 this paragraph (5) shall not exceed \$14,000,000. Claims shall
8 be prorated if they exceed \$14,000,000.

9 (H) Supplemental General State Aid.

10 (1) In addition to the general State aid a school district
11 is allotted pursuant to subsection (E), qualifying school
12 districts shall receive a grant, paid in conjunction with a
13 district's payments of general State aid, for supplemental
14 general State aid based upon the concentration level of
15 children from low-income households within the school
16 district. Supplemental State aid grants provided for school
17 districts under this subsection shall be appropriated for
18 distribution to school districts as part of the same line item
19 in which the general State financial aid of school districts is
20 appropriated under this Section. ~~If the appropriation in any~~
21 ~~fiscal year for general State aid and supplemental general~~
22 ~~State aid is insufficient to pay the amounts required under the~~
23 ~~general State aid and supplemental general State aid~~
24 ~~calculations, then the State Board of Education shall ensure~~
25 ~~that each school district receives the full amount due for~~

1 ~~general State aid and the remainder of the appropriation shall~~
2 ~~be used for supplemental general State aid, which the State~~
3 ~~Board of Education shall calculate and pay to eligible~~
4 ~~districts on a prorated basis.~~

5 (1.5) This paragraph (1.5) applies only to those school
6 years preceding the 2003-2004 school year. For purposes of this
7 subsection (H), the term "Low-Income Concentration Level"
8 shall be the low-income eligible pupil count from the most
9 recently available federal census divided by the Average Daily
10 Attendance of the school district. If, however, (i) the
11 percentage decrease from the 2 most recent federal censuses in
12 the low-income eligible pupil count of a high school district
13 with fewer than 400 students exceeds by 75% or more the
14 percentage change in the total low-income eligible pupil count
15 of contiguous elementary school districts, whose boundaries
16 are coterminous with the high school district, or (ii) a high
17 school district within 2 counties and serving 5 elementary
18 school districts, whose boundaries are coterminous with the
19 high school district, has a percentage decrease from the 2 most
20 recent federal censuses in the low-income eligible pupil count
21 and there is a percentage increase in the total low-income
22 eligible pupil count of a majority of the elementary school
23 districts in excess of 50% from the 2 most recent federal
24 censuses, then the high school district's low-income eligible
25 pupil count from the earlier federal census shall be the number
26 used as the low-income eligible pupil count for the high school

1 district, for purposes of this subsection (H). The changes made
2 to this paragraph (1) by Public Act 92-28 shall apply to
3 supplemental general State aid grants for school years
4 preceding the 2003-2004 school year that are paid in fiscal
5 year 1999 or thereafter and to any State aid payments made in
6 fiscal year 1994 through fiscal year 1998 pursuant to
7 subsection 1(n) of Section 18-8 of this Code (which was
8 repealed on July 1, 1998), and any high school district that is
9 affected by Public Act 92-28 is entitled to a recomputation of
10 its supplemental general State aid grant or State aid paid in
11 any of those fiscal years. This recomputation shall not be
12 affected by any other funding.

13 (1.10) This paragraph (1.10) applies to the 2003-2004
14 school year and each school year thereafter. For purposes of
15 this subsection (H), the term "Low-Income Concentration Level"
16 shall, for each fiscal year, be the low-income eligible pupil
17 count as of July 1 of the immediately preceding fiscal year (as
18 determined by the Department of Human Services based on the
19 number of pupils who are eligible for at least one of the
20 following low income programs: Medicaid, the Children's Health
21 Insurance Program, TANF, or Food Stamps, excluding pupils who
22 are eligible for services provided by the Department of
23 Children and Family Services, averaged over the 2 immediately
24 preceding fiscal years for fiscal year 2004 and over the 3
25 immediately preceding fiscal years for each fiscal year
26 thereafter) divided by the Average Daily Attendance of the

1 school district.

2 (2) Supplemental general State aid pursuant to this
3 subsection (H) shall be provided as follows for the 1998-1999,
4 1999-2000, and 2000-2001 school years only:

5 (a) For any school district with a Low Income
6 Concentration Level of at least 20% and less than 35%, the
7 grant for any school year shall be \$800 multiplied by the
8 low income eligible pupil count.

9 (b) For any school district with a Low Income
10 Concentration Level of at least 35% and less than 50%, the
11 grant for the 1998-1999 school year shall be \$1,100
12 multiplied by the low income eligible pupil count.

13 (c) For any school district with a Low Income
14 Concentration Level of at least 50% and less than 60%, the
15 grant for the 1998-99 school year shall be \$1,500
16 multiplied by the low income eligible pupil count.

17 (d) For any school district with a Low Income
18 Concentration Level of 60% or more, the grant for the
19 1998-99 school year shall be \$1,900 multiplied by the low
20 income eligible pupil count.

21 (e) For the 1999-2000 school year, the per pupil amount
22 specified in subparagraphs (b), (c), and (d) immediately
23 above shall be increased to \$1,243, \$1,600, and \$2,000,
24 respectively.

25 (f) For the 2000-2001 school year, the per pupil
26 amounts specified in subparagraphs (b), (c), and (d)

1 immediately above shall be \$1,273, \$1,640, and \$2,050,
2 respectively.

3 (2.5) Supplemental general State aid pursuant to this
4 subsection (H) shall be provided as follows for the 2002-2003
5 school year:

6 (a) For any school district with a Low Income
7 Concentration Level of less than 10%, the grant for each
8 school year shall be \$355 multiplied by the low income
9 eligible pupil count.

10 (b) For any school district with a Low Income
11 Concentration Level of at least 10% and less than 20%, the
12 grant for each school year shall be \$675 multiplied by the
13 low income eligible pupil count.

14 (c) For any school district with a Low Income
15 Concentration Level of at least 20% and less than 35%, the
16 grant for each school year shall be \$1,330 multiplied by
17 the low income eligible pupil count.

18 (d) For any school district with a Low Income
19 Concentration Level of at least 35% and less than 50%, the
20 grant for each school year shall be \$1,362 multiplied by
21 the low income eligible pupil count.

22 (e) For any school district with a Low Income
23 Concentration Level of at least 50% and less than 60%, the
24 grant for each school year shall be \$1,680 multiplied by
25 the low income eligible pupil count.

26 (f) For any school district with a Low Income

1 Concentration Level of 60% or more, the grant for each
2 school year shall be \$2,080 multiplied by the low income
3 eligible pupil count.

4 (2.10) Except as otherwise provided, supplemental general
5 State aid pursuant to this subsection (H) shall be provided as
6 follows for the 2003-2004 school year and each school year
7 thereafter:

8 (a) For any school district with a Low Income
9 Concentration Level of 15% or less, the grant for each
10 school year shall be \$355 multiplied by the low income
11 eligible pupil count.

12 (b) For any school district with a Low Income
13 Concentration Level greater than 15%, the grant for each
14 school year shall be \$294.25 added to the product of \$2,700
15 and the square of the Low Income Concentration Level, all
16 multiplied by the low income eligible pupil count.

17 For the 2003-2004 school year and each school year
18 thereafter through the 2008-2009 school year only, the grant
19 shall be no less than the grant for the 2002-2003 school year.
20 For the 2009-2010 school year only, the grant shall be no less
21 than the grant for the 2002-2003 school year multiplied by
22 0.66. For the 2010-2011 school year only, the grant shall be no
23 less than the grant for the 2002-2003 school year multiplied by
24 0.33. Notwithstanding the provisions of this paragraph to the
25 contrary, if for any school year supplemental general State aid
26 grants are prorated as provided in paragraph (1) of this

1 subsection (H), then the grants under this paragraph shall be
2 prorated.

3 For the 2003-2004 school year only, the grant shall be no
4 greater than the grant received during the 2002-2003 school
5 year added to the product of 0.25 multiplied by the difference
6 between the grant amount calculated under subsection (a) or (b)
7 of this paragraph (2.10), whichever is applicable, and the
8 grant received during the 2002-2003 school year. For the
9 2004-2005 school year only, the grant shall be no greater than
10 the grant received during the 2002-2003 school year added to
11 the product of 0.50 multiplied by the difference between the
12 grant amount calculated under subsection (a) or (b) of this
13 paragraph (2.10), whichever is applicable, and the grant
14 received during the 2002-2003 school year. For the 2005-2006
15 school year only, the grant shall be no greater than the grant
16 received during the 2002-2003 school year added to the product
17 of 0.75 multiplied by the difference between the grant amount
18 calculated under subsection (a) or (b) of this paragraph
19 (2.10), whichever is applicable, and the grant received during
20 the 2002-2003 school year.

21 (3) School districts with an Average Daily Attendance of
22 more than 1,000 and less than 50,000 that qualify for
23 supplemental general State aid pursuant to this subsection
24 shall submit a plan to the State Board of Education prior to
25 October 30 of each year for the use of the funds resulting from
26 this grant of supplemental general State aid for the

1 improvement of instruction in which priority is given to
2 meeting the education needs of disadvantaged children. Such
3 plan shall be submitted in accordance with rules and
4 regulations promulgated by the State Board of Education.

5 (4) School districts with an Average Daily Attendance of
6 50,000 or more that qualify for supplemental general State aid
7 pursuant to this subsection shall be required to distribute
8 from funds available pursuant to this Section, no less than
9 \$261,000,000 in accordance with the following requirements:

10 (a) The required amounts shall be distributed to the
11 attendance centers within the district in proportion to the
12 number of pupils enrolled at each attendance center who are
13 eligible to receive free or reduced-price lunches or
14 breakfasts under the federal Child Nutrition Act of 1966
15 and under the National School Lunch Act during the
16 immediately preceding school year.

17 (b) The distribution of these portions of supplemental
18 and general State aid among attendance centers according to
19 these requirements shall not be compensated for or
20 contravened by adjustments of the total of other funds
21 appropriated to any attendance centers, and the Board of
22 Education shall utilize funding from one or several sources
23 in order to fully implement this provision annually prior
24 to the opening of school.

25 (c) Each attendance center shall be provided by the
26 school district a distribution of noncategorical funds and

1 other categorical funds to which an attendance center is
2 entitled under law in order that the general State aid and
3 supplemental general State aid provided by application of
4 this subsection supplements rather than supplants the
5 noncategorical funds and other categorical funds provided
6 by the school district to the attendance centers.

7 (d) Any funds made available under this subsection that
8 by reason of the provisions of this subsection are not
9 required to be allocated and provided to attendance centers
10 may be used and appropriated by the board of the district
11 for any lawful school purpose.

12 (e) Funds received by an attendance center pursuant to
13 this subsection shall be used by the attendance center at
14 the discretion of the principal and local school council
15 for programs to improve educational opportunities at
16 qualifying schools through the following programs and
17 services: early childhood education, reduced class size or
18 improved adult to student classroom ratio, enrichment
19 programs, remedial assistance, attendance improvement, and
20 other educationally beneficial expenditures which
21 supplement the regular and basic programs as determined by
22 the State Board of Education. Funds provided shall not be
23 expended for any political or lobbying purposes as defined
24 by board rule.

25 (f) Each district subject to the provisions of this
26 subdivision (H) (4) shall submit an acceptable plan to meet

1 the educational needs of disadvantaged children, in
2 compliance with the requirements of this paragraph, to the
3 State Board of Education prior to July 15 of each year.
4 This plan shall be consistent with the decisions of local
5 school councils concerning the school expenditure plans
6 developed in accordance with part 4 of Section 34-2.3. The
7 State Board shall approve or reject the plan within 60 days
8 after its submission. If the plan is rejected, the district
9 shall give written notice of intent to modify the plan
10 within 15 days of the notification of rejection and then
11 submit a modified plan within 30 days after the date of the
12 written notice of intent to modify. Districts may amend
13 approved plans pursuant to rules promulgated by the State
14 Board of Education.

15 Upon notification by the State Board of Education that
16 the district has not submitted a plan prior to July 15 or a
17 modified plan within the time period specified herein, the
18 State aid funds affected by that plan or modified plan
19 shall be withheld by the State Board of Education until a
20 plan or modified plan is submitted.

21 If the district fails to distribute State aid to
22 attendance centers in accordance with an approved plan, the
23 plan for the following year shall allocate funds, in
24 addition to the funds otherwise required by this
25 subsection, to those attendance centers which were
26 underfunded during the previous year in amounts equal to

1 such underfunding.

2 For purposes of determining compliance with this
3 subsection in relation to the requirements of attendance
4 center funding, each district subject to the provisions of
5 this subsection shall submit as a separate document by
6 December 1 of each year a report of expenditure data for
7 the prior year in addition to any modification of its
8 current plan. If it is determined that there has been a
9 failure to comply with the expenditure provisions of this
10 subsection regarding contravention or supplanting, the
11 State Superintendent of Education shall, within 60 days of
12 receipt of the report, notify the district and any affected
13 local school council. The district shall within 45 days of
14 receipt of that notification inform the State
15 Superintendent of Education of the remedial or corrective
16 action to be taken, whether by amendment of the current
17 plan, if feasible, or by adjustment in the plan for the
18 following year. Failure to provide the expenditure report
19 or the notification of remedial or corrective action in a
20 timely manner shall result in a withholding of the affected
21 funds.

22 The State Board of Education shall promulgate rules and
23 regulations to implement the provisions of this
24 subsection. No funds shall be released under this
25 subdivision (H) (4) to any district that has not submitted a
26 plan that has been approved by the State Board of

1 Education.

2 (I) (Blank).

3 (J) Supplementary Grants in Aid.

4 (1) Notwithstanding any other provisions of this Section,
5 the amount of the aggregate general State aid in combination
6 with supplemental general State aid under this Section for
7 which each school district is eligible shall be no less than
8 the amount of the aggregate general State aid entitlement that
9 was received by the district under Section 18-8 (exclusive of
10 amounts received under subsections 5(p) and 5(p-5) of that
11 Section) for the 1997-98 school year, pursuant to the
12 provisions of that Section as it was then in effect. If a
13 school district qualifies to receive a supplementary payment
14 made under this subsection (J), the amount of the aggregate
15 general State aid in combination with supplemental general
16 State aid under this Section which that district is eligible to
17 receive for each school year shall be no less than the amount
18 of the aggregate general State aid entitlement that was
19 received by the district under Section 18-8 (exclusive of
20 amounts received under subsections 5(p) and 5(p-5) of that
21 Section) for the 1997-1998 school year, pursuant to the
22 provisions of that Section as it was then in effect.

23 (2) If, as provided in paragraph (1) of this subsection
24 (J), a school district is to receive aggregate general State

1 aid in combination with supplemental general State aid under
2 this Section for the 1998-99 school year and any subsequent
3 school year that in any such school year is less than the
4 amount of the aggregate general State aid entitlement that the
5 district received for the 1997-98 school year, the school
6 district shall also receive, from a separate appropriation made
7 for purposes of this subsection (J), a supplementary payment
8 that is equal to the amount of the difference in the aggregate
9 State aid figures as described in paragraph (1).

10 (3) (Blank).

11 (K) Grants to Laboratory and Alternative Schools.

12 In calculating the amount to be paid to the governing board
13 of a public university that operates a laboratory school under
14 this Section or to any alternative school that is operated by a
15 regional superintendent of schools, the State Board of
16 Education shall require by rule such reporting requirements as
17 it deems necessary.

18 As used in this Section, "laboratory school" means a public
19 school which is created and operated by a public university and
20 approved by the State Board of Education. The governing board
21 of a public university which receives funds from the State
22 Board under this subsection (K) may not increase the number of
23 students enrolled in its laboratory school from a single
24 district, if that district is already sending 50 or more
25 students, except under a mutual agreement between the school

1 board of a student's district of residence and the university
2 which operates the laboratory school. A laboratory school may
3 not have more than 1,000 students, excluding students with
4 disabilities in a special education program.

5 As used in this Section, "alternative school" means a
6 public school which is created and operated by a Regional
7 Superintendent of Schools and approved by the State Board of
8 Education. Such alternative schools may offer courses of
9 instruction for which credit is given in regular school
10 programs, courses to prepare students for the high school
11 equivalency testing program or vocational and occupational
12 training. A regional superintendent of schools may contract
13 with a school district or a public community college district
14 to operate an alternative school. An alternative school serving
15 more than one educational service region may be established by
16 the regional superintendents of schools of the affected
17 educational service regions. An alternative school serving
18 more than one educational service region may be operated under
19 such terms as the regional superintendents of schools of those
20 educational service regions may agree.

21 Each laboratory and alternative school shall file, on forms
22 provided by the State Superintendent of Education, an annual
23 State aid claim which states the Average Daily Attendance of
24 the school's students by month. The best 3 months' Average
25 Daily Attendance shall be computed for each school. The general
26 State aid entitlement shall be computed by multiplying the

1 applicable Average Daily Attendance by the Foundation Level as
2 determined under this Section.

3 (L) Payments, Additional Grants in Aid and Other Requirements.

4 (1) For a school district operating under the financial
5 supervision of an Authority created under Article 34A, the
6 general State aid otherwise payable to that district under this
7 Section, but not the supplemental general State aid, shall be
8 reduced by an amount equal to the budget for the operations of
9 the Authority as certified by the Authority to the State Board
10 of Education, and an amount equal to such reduction shall be
11 paid to the Authority created for such district for its
12 operating expenses in the manner provided in Section 18-11. The
13 remainder of general State school aid for any such district
14 shall be paid in accordance with Article 34A when that Article
15 provides for a disposition other than that provided by this
16 Article.

17 (2) (Blank).

18 (3) Summer school. Summer school payments shall be made as
19 provided in Section 18-4.3.

20 (M) Education Funding Advisory Board.

21 The Education Funding Advisory Board, hereinafter in this
22 subsection (M) referred to as the "Board", is hereby created.
23 The Board shall consist of 5 members who are appointed by the
24 Governor, by and with the advice and consent of the Senate. The

1 members appointed shall include representatives of education,
2 business, and the general public. One of the members so
3 appointed shall be designated by the Governor at the time the
4 appointment is made as the chairperson of the Board. The
5 initial members of the Board may be appointed any time after
6 the effective date of this amendatory Act of 1997. The regular
7 term of each member of the Board shall be for 4 years from the
8 third Monday of January of the year in which the term of the
9 member's appointment is to commence, except that of the 5
10 initial members appointed to serve on the Board, the member who
11 is appointed as the chairperson shall serve for a term that
12 commences on the date of his or her appointment and expires on
13 the third Monday of January, 2002, and the remaining 4 members,
14 by lots drawn at the first meeting of the Board that is held
15 after all 5 members are appointed, shall determine 2 of their
16 number to serve for terms that commence on the date of their
17 respective appointments and expire on the third Monday of
18 January, 2001, and 2 of their number to serve for terms that
19 commence on the date of their respective appointments and
20 expire on the third Monday of January, 2000. All members
21 appointed to serve on the Board shall serve until their
22 respective successors are appointed and confirmed. Vacancies
23 shall be filled in the same manner as original appointments. If
24 a vacancy in membership occurs at a time when the Senate is not
25 in session, the Governor shall make a temporary appointment
26 until the next meeting of the Senate, when he or she shall

1 appoint, by and with the advice and consent of the Senate, a
2 person to fill that membership for the unexpired term. If the
3 Senate is not in session when the initial appointments are
4 made, those appointments shall be made as in the case of
5 vacancies.

6 The Education Funding Advisory Board shall be deemed
7 established, and the initial members appointed by the Governor
8 to serve as members of the Board shall take office, on the date
9 that the Governor makes his or her appointment of the fifth
10 initial member of the Board, whether those initial members are
11 then serving pursuant to appointment and confirmation or
12 pursuant to temporary appointments that are made by the
13 Governor as in the case of vacancies.

14 The State Board of Education shall provide such staff
15 assistance to the Education Funding Advisory Board as is
16 reasonably required for the proper performance by the Board of
17 its responsibilities.

18 For school years after the 2000-2001 school year, the
19 Education Funding Advisory Board, in consultation with the
20 State Board of Education, shall make recommendations as
21 provided in this subsection (M) to the General Assembly for the
22 foundation level under subdivision (B)(3) of this Section and
23 for the supplemental general State aid grant level under
24 subsection (H) of this Section for districts with high
25 concentrations of children from poverty. The recommended
26 foundation level shall be determined based on a methodology

1 which incorporates the basic education expenditures of
2 low-spending schools exhibiting high academic performance. The
3 Education Funding Advisory Board shall make such
4 recommendations to the General Assembly on January 1 of odd
5 numbered years, beginning January 1, 2001.

6 (N) (Blank).

7 (O) References.

8 (1) References in other laws to the various subdivisions of
9 Section 18-8 as that Section existed before its repeal and
10 replacement by this Section 18-8.05 shall be deemed to refer to
11 the corresponding provisions of this Section 18-8.05, to the
12 extent that those references remain applicable.

13 (2) References in other laws to State Chapter 1 funds shall
14 be deemed to refer to the supplemental general State aid
15 provided under subsection (H) of this Section.

16 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
17 changes to this Section. Under Section 6 of the Statute on
18 Statutes there is an irreconcilable conflict between Public Act
19 93-808 and Public Act 93-838. Public Act 93-838, being the last
20 acted upon, is controlling. The text of Public Act 93-838 is
21 the law regardless of the text of Public Act 93-808.

22 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;
23 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.

1 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.
2 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; revised
3 10-23-09.)

4 Section 5-48. The Illinois Public Aid Code is amended by
5 changing Sections 5-5.4 and 5-5.4d as follows:

6 (305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

7 (Text of Section after amendment by P.A. 96-339)

8 Sec. 5-5.4. Standards of Payment - Department of Healthcare
9 and Family Services. The Department of Healthcare and Family
10 Services shall develop standards of payment of skilled nursing
11 and intermediate care services in facilities providing such
12 services under this Article which:

13 (1) Provide for the determination of a facility's payment
14 for skilled nursing and intermediate care services on a
15 prospective basis. The amount of the payment rate for all
16 nursing facilities certified by the Department of Public Health
17 under the MR/DD Community Care Act or the Nursing Home Care Act
18 as Intermediate Care for the Developmentally Disabled
19 facilities, Long Term Care for Under Age 22 facilities, Skilled
20 Nursing facilities, or Intermediate Care facilities under the
21 medical assistance program shall be prospectively established
22 annually on the basis of historical, financial, and statistical
23 data reflecting actual costs from prior years, which shall be
24 applied to the current rate year and updated for inflation,

1 except that the capital cost element for newly constructed
2 facilities shall be based upon projected budgets. The annually
3 established payment rate shall take effect on July 1 in 1984
4 and subsequent years. No rate increase and no update for
5 inflation shall be provided on or after July 1, 1994 and before
6 July 1, 2011 ~~2010~~, unless specifically provided for in this
7 Section. The changes made by Public Act 93-841 extending the
8 duration of the prohibition against a rate increase or update
9 for inflation are effective retroactive to July 1, 2004.

10 For facilities licensed by the Department of Public Health
11 under the Nursing Home Care Act as Intermediate Care for the
12 Developmentally Disabled facilities or Long Term Care for Under
13 Age 22 facilities, the rates taking effect on July 1, 1998
14 shall include an increase of 3%. For facilities licensed by the
15 Department of Public Health under the Nursing Home Care Act as
16 Skilled Nursing facilities or Intermediate Care facilities,
17 the rates taking effect on July 1, 1998 shall include an
18 increase of 3% plus \$1.10 per resident-day, as defined by the
19 Department. For facilities licensed by the Department of Public
20 Health under the Nursing Home Care Act as Intermediate Care
21 Facilities for the Developmentally Disabled or Long Term Care
22 for Under Age 22 facilities, the rates taking effect on January
23 1, 2006 shall include an increase of 3%. For facilities
24 licensed by the Department of Public Health under the Nursing
25 Home Care Act as Intermediate Care Facilities for the
26 Developmentally Disabled or Long Term Care for Under Age 22

1 facilities, the rates taking effect on January 1, 2009 shall
2 include an increase sufficient to provide a \$0.50 per hour wage
3 increase for non-executive staff.

4 For facilities licensed by the Department of Public Health
5 under the Nursing Home Care Act as Intermediate Care for the
6 Developmentally Disabled facilities or Long Term Care for Under
7 Age 22 facilities, the rates taking effect on July 1, 1999
8 shall include an increase of 1.6% plus \$3.00 per resident-day,
9 as defined by the Department. For facilities licensed by the
10 Department of Public Health under the Nursing Home Care Act as
11 Skilled Nursing facilities or Intermediate Care facilities,
12 the rates taking effect on July 1, 1999 shall include an
13 increase of 1.6% and, for services provided on or after October
14 1, 1999, shall be increased by \$4.00 per resident-day, as
15 defined by the Department.

16 For facilities licensed by the Department of Public Health
17 under the Nursing Home Care Act as Intermediate Care for the
18 Developmentally Disabled facilities or Long Term Care for Under
19 Age 22 facilities, the rates taking effect on July 1, 2000
20 shall include an increase of 2.5% per resident-day, as defined
21 by the Department. For facilities licensed by the Department of
22 Public Health under the Nursing Home Care Act as Skilled
23 Nursing facilities or Intermediate Care facilities, the rates
24 taking effect on July 1, 2000 shall include an increase of 2.5%
25 per resident-day, as defined by the Department.

26 For facilities licensed by the Department of Public Health

1 under the Nursing Home Care Act as skilled nursing facilities
2 or intermediate care facilities, a new payment methodology must
3 be implemented for the nursing component of the rate effective
4 July 1, 2003. The Department of Public Aid (now Healthcare and
5 Family Services) shall develop the new payment methodology
6 using the Minimum Data Set (MDS) as the instrument to collect
7 information concerning nursing home resident condition
8 necessary to compute the rate. The Department shall develop the
9 new payment methodology to meet the unique needs of Illinois
10 nursing home residents while remaining subject to the
11 appropriations provided by the General Assembly. A transition
12 period from the payment methodology in effect on June 30, 2003
13 to the payment methodology in effect on July 1, 2003 shall be
14 provided for a period not exceeding 3 years and 184 days after
15 implementation of the new payment methodology as follows:

16 (A) For a facility that would receive a lower nursing
17 component rate per patient day under the new system than
18 the facility received effective on the date immediately
19 preceding the date that the Department implements the new
20 payment methodology, the nursing component rate per
21 patient day for the facility shall be held at the level in
22 effect on the date immediately preceding the date that the
23 Department implements the new payment methodology until a
24 higher nursing component rate of reimbursement is achieved
25 by that facility.

26 (B) For a facility that would receive a higher nursing

1 component rate per patient day under the payment
2 methodology in effect on July 1, 2003 than the facility
3 received effective on the date immediately preceding the
4 date that the Department implements the new payment
5 methodology, the nursing component rate per patient day for
6 the facility shall be adjusted.

7 (C) Notwithstanding paragraphs (A) and (B), the
8 nursing component rate per patient day for the facility
9 shall be adjusted subject to appropriations provided by the
10 General Assembly.

11 For facilities licensed by the Department of Public Health
12 under the Nursing Home Care Act as Intermediate Care for the
13 Developmentally Disabled facilities or Long Term Care for Under
14 Age 22 facilities, the rates taking effect on March 1, 2001
15 shall include a statewide increase of 7.85%, as defined by the
16 Department.

17 Notwithstanding any other provision of this Section, for
18 facilities licensed by the Department of Public Health under
19 the Nursing Home Care Act as skilled nursing facilities or
20 intermediate care facilities, the numerator of the ratio used
21 by the Department of Healthcare and Family Services to compute
22 the rate payable under this Section using the Minimum Data Set
23 (MDS) methodology shall incorporate the following annual
24 amounts as the additional funds appropriated to the Department
25 specifically to pay for rates based on the MDS nursing
26 component methodology in excess of the funding in effect on

1 December 31, 2006:

2 (i) For rates taking effect January 1, 2007,
3 \$60,000,000.

4 (ii) For rates taking effect January 1, 2008,
5 \$110,000,000.

6 (iii) For rates taking effect January 1, 2009,
7 \$194,000,000.

8 Notwithstanding any other provision of this Section, for
9 facilities licensed by the Department of Public Health under
10 the Nursing Home Care Act as skilled nursing facilities or
11 intermediate care facilities, the support component of the
12 rates taking effect on January 1, 2008 shall be computed using
13 the most recent cost reports on file with the Department of
14 Healthcare and Family Services no later than April 1, 2005,
15 updated for inflation to January 1, 2006.

16 For facilities licensed by the Department of Public Health
17 under the Nursing Home Care Act as Intermediate Care for the
18 Developmentally Disabled facilities or Long Term Care for Under
19 Age 22 facilities, the rates taking effect on April 1, 2002
20 shall include a statewide increase of 2.0%, as defined by the
21 Department. This increase terminates on July 1, 2002; beginning
22 July 1, 2002 these rates are reduced to the level of the rates
23 in effect on March 31, 2002, as defined by the Department.

24 For facilities licensed by the Department of Public Health
25 under the Nursing Home Care Act as skilled nursing facilities
26 or intermediate care facilities, the rates taking effect on

1 July 1, 2001 shall be computed using the most recent cost
2 reports on file with the Department of Public Aid no later than
3 April 1, 2000, updated for inflation to January 1, 2001. For
4 rates effective July 1, 2001 only, rates shall be the greater
5 of the rate computed for July 1, 2001 or the rate effective on
6 June 30, 2001.

7 Notwithstanding any other provision of this Section, for
8 facilities licensed by the Department of Public Health under
9 the Nursing Home Care Act as skilled nursing facilities or
10 intermediate care facilities, the Illinois Department shall
11 determine by rule the rates taking effect on July 1, 2002,
12 which shall be 5.9% less than the rates in effect on June 30,
13 2002.

14 Notwithstanding any other provision of this Section, for
15 facilities licensed by the Department of Public Health under
16 the Nursing Home Care Act as skilled nursing facilities or
17 intermediate care facilities, if the payment methodologies
18 required under Section 5A-12 and the waiver granted under 42
19 CFR 433.68 are approved by the United States Centers for
20 Medicare and Medicaid Services, the rates taking effect on July
21 1, 2004 shall be 3.0% greater than the rates in effect on June
22 30, 2004. These rates shall take effect only upon approval and
23 implementation of the payment methodologies required under
24 Section 5A-12.

25 Notwithstanding any other provisions of this Section, for
26 facilities licensed by the Department of Public Health under

1 the Nursing Home Care Act as skilled nursing facilities or
2 intermediate care facilities, the rates taking effect on
3 January 1, 2005 shall be 3% more than the rates in effect on
4 December 31, 2004.

5 Notwithstanding any other provision of this Section, for
6 facilities licensed by the Department of Public Health under
7 the Nursing Home Care Act as skilled nursing facilities or
8 intermediate care facilities, effective January 1, 2009, the
9 per diem support component of the rates effective on January 1,
10 2008, computed using the most recent cost reports on file with
11 the Department of Healthcare and Family Services no later than
12 April 1, 2005, updated for inflation to January 1, 2006, shall
13 be increased to the amount that would have been derived using
14 standard Department of Healthcare and Family Services methods,
15 procedures, and inflators.

16 Notwithstanding any other provisions of this Section, for
17 facilities licensed by the Department of Public Health under
18 the Nursing Home Care Act as intermediate care facilities that
19 are federally defined as Institutions for Mental Disease, a
20 socio-development component rate equal to 6.6% of the
21 facility's nursing component rate as of January 1, 2006 shall
22 be established and paid effective July 1, 2006. The
23 socio-development component of the rate shall be increased by a
24 factor of 2.53 on the first day of the month that begins at
25 least 45 days after January 11, 2008 (the effective date of
26 Public Act 95-707). As of August 1, 2008, the socio-development

1 component rate shall be equal to 6.6% of the facility's nursing
2 component rate as of January 1, 2006, multiplied by a factor of
3 3.53. The Illinois Department may by rule adjust these
4 socio-development component rates, but in no case may such
5 rates be diminished.

6 For facilities licensed by the Department of Public Health
7 under the Nursing Home Care Act as Intermediate Care for the
8 Developmentally Disabled facilities or as long-term care
9 facilities for residents under 22 years of age, the rates
10 taking effect on July 1, 2003 shall include a statewide
11 increase of 4%, as defined by the Department.

12 For facilities licensed by the Department of Public Health
13 under the Nursing Home Care Act as Intermediate Care for the
14 Developmentally Disabled facilities or Long Term Care for Under
15 Age 22 facilities, the rates taking effect on the first day of
16 the month that begins at least 45 days after the effective date
17 of this amendatory Act of the 95th General Assembly shall
18 include a statewide increase of 2.5%, as defined by the
19 Department.

20 Notwithstanding any other provision of this Section, for
21 facilities licensed by the Department of Public Health under
22 the Nursing Home Care Act as skilled nursing facilities or
23 intermediate care facilities, effective January 1, 2005,
24 facility rates shall be increased by the difference between (i)
25 a facility's per diem property, liability, and malpractice
26 insurance costs as reported in the cost report filed with the

1 Department of Public Aid and used to establish rates effective
2 July 1, 2001 and (ii) those same costs as reported in the
3 facility's 2002 cost report. These costs shall be passed
4 through to the facility without caps or limitations, except for
5 adjustments required under normal auditing procedures.

6 Rates established effective each July 1 shall govern
7 payment for services rendered throughout that fiscal year,
8 except that rates established on July 1, 1996 shall be
9 increased by 6.8% for services provided on or after January 1,
10 1997. Such rates will be based upon the rates calculated for
11 the year beginning July 1, 1990, and for subsequent years
12 thereafter until June 30, 2001 shall be based on the facility
13 cost reports for the facility fiscal year ending at any point
14 in time during the previous calendar year, updated to the
15 midpoint of the rate year. The cost report shall be on file
16 with the Department no later than April 1 of the current rate
17 year. Should the cost report not be on file by April 1, the
18 Department shall base the rate on the latest cost report filed
19 by each skilled care facility and intermediate care facility,
20 updated to the midpoint of the current rate year. In
21 determining rates for services rendered on and after July 1,
22 1985, fixed time shall not be computed at less than zero. The
23 Department shall not make any alterations of regulations which
24 would reduce any component of the Medicaid rate to a level
25 below what that component would have been utilizing in the rate
26 effective on July 1, 1984.

1 (2) Shall take into account the actual costs incurred by
2 facilities in providing services for recipients of skilled
3 nursing and intermediate care services under the medical
4 assistance program.

5 (3) Shall take into account the medical and psycho-social
6 characteristics and needs of the patients.

7 (4) Shall take into account the actual costs incurred by
8 facilities in meeting licensing and certification standards
9 imposed and prescribed by the State of Illinois, any of its
10 political subdivisions or municipalities and by the U.S.
11 Department of Health and Human Services pursuant to Title XIX
12 of the Social Security Act.

13 The Department of Healthcare and Family Services shall
14 develop precise standards for payments to reimburse nursing
15 facilities for any utilization of appropriate rehabilitative
16 personnel for the provision of rehabilitative services which is
17 authorized by federal regulations, including reimbursement for
18 services provided by qualified therapists or qualified
19 assistants, and which is in accordance with accepted
20 professional practices. Reimbursement also may be made for
21 utilization of other supportive personnel under appropriate
22 supervision.

23 (Source: P.A. 95-12, eff. 7-2-07; 95-331, eff. 8-21-07; 95-707,
24 eff. 1-11-08; 95-744, eff. 7-18-08; 96-45, eff. 7-15-09;
25 96-339, eff. 7-1-10; revised 10-23-09.)

1 (305 ILCS 5/5-5.4d)

2 Sec. 5-5.4d. MDS payment methodology; quarterly rate
3 adjustments.

4 (a) On and after July 1, 2009, and until April 1, 2011, the
5 nursing component of the nursing facility medical assistance
6 rate computed under the Minimum Data Set (MDS) payment
7 methodology shall be calculated and adjusted quarterly. The
8 Department of Healthcare and Family Services may adopt rules
9 necessary to implement this amendatory Act of the 96th General
10 Assembly through the use of emergency rulemaking in accordance
11 with Section 5-45 of the Illinois Administrative Procedure Act,
12 except that the 24-month limitation on the adoption of
13 emergency rules under Section 5-45 and the provisions of
14 Sections 5-115 and 5-125 of that Act do not apply to rules
15 adopted under this Section. For purposes of that Act, the
16 General Assembly finds that the adoption of rules to implement
17 this amendatory Act of the 96th General Assembly is deemed an
18 emergency and necessary for the public interest, safety, and
19 welfare.

20 (b) On April 1, 2011, the nursing component of the nursing
21 facility medical assistance rate computed under the Minimum
22 Data Set (MDS) payment methodology shall be frozen to allow the
23 Department of Healthcare and Family Services to develop a rate
24 methodology based on a federally mandated long term care data
25 collection system. The rates in effect prior to and through the
26 quarter ending March 31, 2011, shall continue to be subject to

1 follow-up audits and retroactive rate adjustments pursuant to
2 administrative rules of the Department for reviews of accuracy
3 and resident assessment information. The reimbursement
4 methodology for a Class I Institution for Mental Diseases shall
5 also be frozen pending review of a federally mandated long term
6 care data collection system.

7 (Source: P.A. 96-743, eff. 8-25-09.)

8 Section 5-49. The Comprehensive Lead Education, Reduction,
9 and Window Replacement Program Act is amended by changing
10 Section 15 as follows:

11 (410 ILCS 43/15)

12 Sec. 15. Grant and loan program.

13 (a) Subject to appropriation, the Department, in
14 consultation with the Advisory Council, shall establish and
15 operate the CLEAR-WIN Program in two pilot area communities
16 selected by the Department with advice from the Advisory
17 Council. Pilot area communities shall be selected based upon
18 the prevalence of low-income families whose children are lead
19 poisoned, the age of the housing stock, and other sources of
20 funding available to the communities to address lead-based
21 paint hazards.

22 (b) The Department shall be responsible for administering
23 the CLEAR-WIN grant program. The grant shall be used to correct
24 lead-based paint hazards in residential buildings. Conditions

1 for receiving a grant shall be developed by the Department
2 based on criteria established by the Advisory Council.
3 Criteria, including but not limited to the following program
4 components, shall include (i) income eligibility for receipt of
5 the grants, with priority given to low-income tenants or owners
6 who rent to low-income tenants; (ii) properties to be covered
7 under CLEAR-WIN; and (iii) the number of units to be covered in
8 a property. Prior to making a grant, the Department must
9 provide the grant recipient with a copy of the Lead Safe
10 Housing Maintenance Standards generated by the Advisory
11 Council. The property owner must certify that he or she has
12 received the Standards and intends to comply with them; has
13 provided a copy of the Standards to all tenants in the
14 building; will continue to rent to the same tenant or other
15 low-income tenant for a period of not less than 5 years
16 following completion of the work; and will continue to maintain
17 the property as lead-safe. Failure to comply with the grant
18 conditions may result in repayment of grant funds.

19 (c) The Advisory Council shall also consider development of
20 a loan program to assist property owners not eligible for
21 grants.

22 (d) All lead-based paint hazard control work performed with
23 these grant or loan funds shall be conducted in conformance
24 with the Lead Poisoning Prevention Act and the Illinois Lead
25 Poisoning Prevention Code. Before contractors are paid for
26 repair work conducted under the CLEAR-WIN Program, each

1 dwelling unit assisted must be inspected by a lead risk
2 assessor or lead inspector licensed in Illinois, and an
3 appropriate number of dust samples must be collected from in
4 and around the work areas for lead analysis, with results in
5 compliance with levels set by the Lead Poisoning Prevention Act
6 and the Illinois Lead Poisoning Prevention Code. All costs of
7 evaluation shall be the responsibility of the property owner
8 who received the grant or loan, but will be provided for by the
9 Department for grant recipients and may be included in the
10 amount of the loan. Additional repairs and clean-up costs
11 associated with a failed clearance test, including follow-up
12 tests, shall be the responsibility of the contractor.

13 (e) Within 6 months after the effective date of this Act,
14 the Advisory Council shall recommend to the Department Lead
15 Safe Housing Maintenance Standards for purposes of the
16 CLEAR-WIN Program. Except for properties where all lead-based
17 paint has been removed, the standards shall describe the
18 responsibilities of property owners and tenants in maintaining
19 lead-safe housing, including but not limited to, prescribing
20 special cleaning, repair, and maintenance necessary to reduce
21 the chance that properties will cause lead poisoning in child
22 occupants. Recipients of CLEAR-WIN grants and loans shall be
23 required to continue to maintain their properties in compliance
24 with these Lead Safe Housing Maintenance Standards. Failure to
25 maintain properties in accordance with these Standards may
26 result in repayment of grant funds or termination of the loan.

1 (f) From funds appropriated, the Department may pay grants
2 and reasonable administrative costs.

3 (Source: P.A. 95-492, eff. 1-1-08.)

4 ARTICLE 10. PENSION CONTRIBUTIONS

5 Section 10-5. The State Finance Act is amended by changing
6 Section 8.12 as follows:

7 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

8 Sec. 8.12. State Pensions Fund.

9 (a) The moneys in the State Pensions Fund shall be used
10 exclusively for the administration of the Uniform Disposition
11 of Unclaimed Property Act and for the funding of the unfunded
12 liabilities of the designated retirement systems. Payments to
13 the designated retirement systems under this Section shall be
14 in addition to, and not in lieu of, any State contributions
15 required under the Illinois Pension Code.

16 "Designated retirement systems" means:

17 (1) the State Employees' Retirement System of
18 Illinois;

19 (2) the Teachers' Retirement System of the State of
20 Illinois;

21 (3) the State Universities Retirement System;

22 (4) the Judges Retirement System of Illinois; and

23 (5) the General Assembly Retirement System.

1 (b) Each year the General Assembly may make appropriations
2 from the State Pensions Fund for the administration of the
3 Uniform Disposition of Unclaimed Property Act.

4 Each month, the Commissioner of the Office of Banks and
5 Real Estate shall certify to the State Treasurer the actual
6 expenditures that the Office of Banks and Real Estate incurred
7 conducting unclaimed property examinations under the Uniform
8 Disposition of Unclaimed Property Act during the immediately
9 preceding month. Within a reasonable time following the
10 acceptance of such certification by the State Treasurer, the
11 State Treasurer shall pay from its appropriation from the State
12 Pensions Fund to the Bank and Trust Company Fund and the
13 Savings and Residential Finance Regulatory Fund an amount equal
14 to the expenditures incurred by each Fund for that month.

15 Each month, the Director of Financial Institutions shall
16 certify to the State Treasurer the actual expenditures that the
17 Department of Financial Institutions incurred conducting
18 unclaimed property examinations under the Uniform Disposition
19 of Unclaimed Property Act during the immediately preceding
20 month. Within a reasonable time following the acceptance of
21 such certification by the State Treasurer, the State Treasurer
22 shall pay from its appropriation from the State Pensions Fund
23 to the Financial Institutions Fund and the Credit Union Fund an
24 amount equal to the expenditures incurred by each Fund for that
25 month.

26 (c) As soon as possible after the effective date of this

1 amendatory Act of the 93rd General Assembly, the General
2 Assembly shall appropriate from the State Pensions Fund (1) to
3 the State Universities Retirement System the amount certified
4 under Section 15-165 during the prior year, (2) to the Judges
5 Retirement System of Illinois the amount certified under
6 Section 18-140 during the prior year, and (3) to the General
7 Assembly Retirement System the amount certified under Section
8 2-134 during the prior year as part of the required State
9 contributions to each of those designated retirement systems;
10 except that amounts appropriated under this subsection (c) in
11 State fiscal year 2005 shall not reduce the amount in the State
12 Pensions Fund below \$5,000,000. If the amount in the State
13 Pensions Fund does not exceed the sum of the amounts certified
14 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,
15 the amount paid to each designated retirement system under this
16 subsection shall be reduced in proportion to the amount
17 certified by each of those designated retirement systems.

18 (c-5) For fiscal years 2006, 2007, 2008, 2009, ~~and 2010,~~
19 and 2011 the General Assembly shall appropriate from the State
20 Pensions Fund to the State Universities Retirement System the
21 amount estimated to be available during the fiscal year in the
22 State Pensions Fund; provided, however, that the amounts
23 appropriated under this subsection (c-5) shall not reduce the
24 amount in the State Pensions Fund below \$5,000,000.

25 (c-6) For fiscal year 2012 ~~2011~~ and each fiscal year
26 thereafter, as soon as may be practical after any money is

1 deposited into the State Pensions Fund from the Unclaimed
2 Property Trust Fund, the State Treasurer shall apportion the
3 deposited amount among the designated retirement systems as
4 defined in subsection (a) to reduce their actuarial reserve
5 deficiencies. The State Comptroller and State Treasurer shall
6 pay the apportioned amounts to the designated retirement
7 systems to fund the unfunded liabilities of the designated
8 retirement systems. The amount apportioned to each designated
9 retirement system shall constitute a portion of the amount
10 estimated to be available for appropriation from the State
11 Pensions Fund that is the same as that retirement system's
12 portion of the total actual reserve deficiency of the systems,
13 as determined annually by the Governor's Office of Management
14 and Budget at the request of the State Treasurer. The amounts
15 apportioned under this subsection shall not reduce the amount
16 in the State Pensions Fund below \$5,000,000.

17 (d) The Governor's Office of Management and Budget shall
18 determine the individual and total reserve deficiencies of the
19 designated retirement systems. For this purpose, the
20 Governor's Office of Management and Budget shall utilize the
21 latest available audit and actuarial reports of each of the
22 retirement systems and the relevant reports and statistics of
23 the Public Employee Pension Fund Division of the Department of
24 Insurance.

25 (d-1) As soon as practicable after the effective date of
26 this amendatory Act of the 93rd General Assembly, the

1 Comptroller shall direct and the Treasurer shall transfer from
2 the State Pensions Fund to the General Revenue Fund, as funds
3 become available, a sum equal to the amounts that would have
4 been paid from the State Pensions Fund to the Teachers'
5 Retirement System of the State of Illinois, the State
6 Universities Retirement System, the Judges Retirement System
7 of Illinois, the General Assembly Retirement System, and the
8 State Employees' Retirement System of Illinois after the
9 effective date of this amendatory Act during the remainder of
10 fiscal year 2004 to the designated retirement systems from the
11 appropriations provided for in this Section if the transfers
12 provided in Section 6z-61 had not occurred. The transfers
13 described in this subsection (d-1) are to partially repay the
14 General Revenue Fund for the costs associated with the bonds
15 used to fund the moneys transferred to the designated
16 retirement systems under Section 6z-61.

17 (e) The changes to this Section made by this amendatory Act
18 of 1994 shall first apply to distributions from the Fund for
19 State fiscal year 1996.

20 (Source: P.A. 94-91, eff. 7-1-05; 95-950, eff. 8-29-08.)

21 Section 10-10. The State Pension Funds Continuing
22 Appropriation Act is amended by changing Section 1 as follows:

23 (40 ILCS 15/1)

24 Sec. 1. Appropriations from State Pensions Fund.

1 (a) For the purpose of making up any deficiency in the
2 appropriations to the designated retirement systems that are
3 required to be made under Section 8.12 of the State Finance
4 Act, there is hereby appropriated, on a continuing annual basis
5 in each fiscal year, from the State Pensions Fund to each
6 designated retirement system, the amount, if any, by which the
7 total appropriation to that system from the State Pensions Fund
8 for that fiscal year is less than the amount required to be
9 appropriated to that retirement system under Section 8.12 of
10 the State Finance Act.

11 The annual appropriation under this Section to each
12 designated retirement system shall take effect on July 1 for
13 the State fiscal year beginning on that date.

14 The amount of any continuing appropriation used by a
15 retirement system under this Section for a given fiscal year
16 shall be charged against the unexpended amount of any
17 appropriation to that retirement system for that fiscal year
18 under Section 8.12 of the State Finance Act that subsequently
19 becomes available, subject to Section 8.3 of the State Finance
20 Act.

21 "Designated retirement systems" means the State Employees'
22 Retirement System of Illinois, the Teachers' Retirement System
23 of the State of Illinois, the State Universities Retirement
24 System, the Judges Retirement System of Illinois, and the
25 General Assembly Retirement System.

26 The appropriations made in this Section are appropriated to

1 the designated retirement systems for the funding of the
2 unfunded liabilities of the designated retirement systems and
3 are in addition to, and not in lieu of, any State contributions
4 required under the Illinois Pension Code.

5 (b) For State fiscal year 2011 only, a continuing
6 appropriation is provided to the State Universities'
7 Retirement System that shall not exceed the amount certified by
8 the System on or before December 31, 2009; however, the
9 continuing appropriation shall not reduce the amount in the
10 State Pensions Fund below \$5,000,000.

11 (Source: P.A. 95-950, eff. 8-29-08.)

12 ARTICLE 95. SEVERABILITY

13 Section 95-95. Severability. The provisions of this Act are
14 severable under Section 1.31 of the Statute on Statutes.

15 ARTICLE 99. EFFECTIVE DATE

16 Section 99-99. Effective date. This Act takes effect July
17 1, 2010.